

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

NOVEMBER 21, 1997

(Published November 29, 1997,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

November 21, 1997 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Niland,
McDonald, Minn, Mead, Scott, Schulstad,
Rainville, Dziedzic, Thurber, Campbell, Biernat,
President Cherryhomes.

Absent - Herron

Campbell moved approval of the minutes of
the regular meeting of November 7, 1997.

Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.

Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

CITY CLERK (263258)

Adams, David; Anderson, Dorothy/Orthopedic
Medicine & Surgery; Aronson, Shari; Atmore,
Kristen; Baker, Toni Vee; Benson, Kristi; Bey,
Delecia; Boden, John; Bovis, Thomas P/sub
State Farm Ins Co; Cottrell, Pauline; Daniels, Julie
K; Duerr, Jessica; Emery, Chad (2 claims);
Facchinello, Gina P; Gillespie, Austin; Grahm,
Patricia C; Heuer, James A/CNA; Horn, Kitty &
Atty Roland J Theiler; Ivanishina, Vera &
Yevsina, Lubov & Tetyana & Atty Scott A
Teplinsky; James, Diane; Johnson, Haley; Kamin,
Amira Michelle; Kinsey, Michelle; Kowal, Phil;
Lange, Timothy & Atty Mark W Gehan; Laskow,
Marc D; Lemberg Kyle; Lewis, Isiah; Livingston,
James B; Martini, Carroll; McWilliams, Dwight;

Milbach, Aprille R; Miller, Consandra Denise &
Atty Daniel E Fobbe; Minnegasco; Molitor, Erich;
Osborne, Jennifer; Paasewe, Tursee Jenneh;
Rairez, Louis P; Shafer, Yvonne L; Sherman,
Michael; Short, Brian; Strehlow, Suzanne
Michelle; Swan, Beverly F; Tlemcani, Jalil;
Torosion, Susan & Atty Robert J Healy; US West
Communications Inc & Atty Thurl M Quigley;
Vikmanis, Valda; Wedel, Harley D; Williams,
Rose & Atty William L H Lubov; Wiltscheck,
Barb J; Winterer, Mark Peter; Wyant, John R;
Ziegenfuss, Joe.

KOVACH, MYOUNG TUK (263259)

Claim regarding Utopia East Health Club at
628 E Lake Street.

COMMUNITY DEVELOPMENT:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263260)

Housing Improvement District: Policy issues;
River Towers Assn long range facilities plan
w/attachments, architectural drawings, costs.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263261)

Minnesota Orchestral Assn (1111 Nicollet):
Pass resl giving final approval to issue bonds to
finance capital improvements; Notice of public
hearing.

Metropolitan Economic Development Assn
(MEDA): Pass resl giving preliminary & final
approval to issue bonds to finance office
condominium at 250 2nd St S; MEDA application
for bond financing; Notice of public hearing.

University Village Project (Wedum
Foundation) (2515 University Av): Pass resl
giving final approval to issue bonds for student
housing; Wedum application for bond financing.

University Gateway Project (Oak St between
Washington & University Aves): Pass resl giving

final approval to issue bonds to finance alumni-visitor center & office building; Mortgage and Security Agreement; Standby Bond Purchase Agreement; Disbursing Agreement; & Reimbursement Agreement.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263262)

Lot Division (2405 24th Av N): Pass resl approving division & waiving subdivision plat requirement, w/survey, map, notice of public hearing.

Tax Forfeited Land: Pass resl classifying properties as non-conservation for various disposition, reconvey 2822 Oliver Av N to Hennepin County.

St Anthony Falls Corp: Recommend appoint Donald Risk to Board of Directors.

American Heritage River: Pass resl endorsing nomination of Twin Cities stretch of Mississippi River; Principles for nomination.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

ESTIMATE AND TAXATION (263263)

People of Phillips, Inc. Selected Scope Areas, Special Review, Part II, conducted by Internal Audit Office.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263264)

Creamette Housing Project (428 N 1st St): MCDA: Creamette Tax Increment Finance Plan, Modification 52 to the Common Plan, Modifications 14 and 15 to the North Loop Redevelopment Plan; Pass resl approving said documents; Approve pay-as-you-go tax increment note; Request to set public hearing w/notice. Planning Commission: Comments. Development Finance Committee: Comments. W&M/Budget Committee: Comments.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263265)

NorthStar Woolen Mill/Utility Building Project (2nd St S & Portland Av): MCDA: Approve business terms of redevelopment contract w/Brighton Development, approve budget for tax increment eligible costs of historic restoration for NorthStar Woolen Mill/Washburn Crosby complex & related land, draft documents to allow new tax increment district. Development Finance Committee: Comments.

Rafowitz Enterprises Project (behind 2633 Minnehaha Av): Allocate MILES funds, Pass resolution appropriating funds; Summary of MILES projects funded to date; map.

Nicollet-Franklin Redevelopment Project: Direct staff to prepare redevelopment contracts with HealthSystem Minnesota & Franklin Bank & draft documents to allow a new tax increment district, w/attachs.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263266)

Two Percent Revolving Loan Fund: Pass resl appropriating funds to meet increased demand for loans.

Laurel Village Project: Pass resl appropriating funds for legal costs to create stronger investment entity.

Grain Elevators No 2 & 3 (10th Av & 2nd St S): MCDA: Allocate MILES funds; Pass resl appropriating funds; Summary of MILES projects funded to date; map. Liquor Depot, Inc/Blex Oil, Inc: Comments.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (263267)

Hennepin County "second 7.5%" NRP funds: Pass resl appropriating funds for Seward Neighborhood Community Resource Directory, w/attachs.

NRP 1998 Administrative Budget: Approve budget, Pass resl appropriating funds; Descriptive Memo; Attachment A setting forth budget proposal; Projected 1998 professional service contracts.

INTERGOVERNMENTAL RELATIONS:

MERF & MPLS TEACHERS' RETIREMENT
FUND ASSN (263268)

Pension Benefits: Info re MERF & Mpls Teachers' Retirement Fund Assn.

MPLS PUBLIC SCHOOL BOARD (263269)

Mpls Public Schools: Draft Initiatives.

INTERGOVERNMENTAL RELATIONS

(See Rep):

LIAISON/FEDERAL, LOCAL AND STATE
(263270)

Lobbying Servs: Contr w/North State & list of clients.

Consultant & Lobbying Servs: Contr w/McGrann Shea Franzen Carnival Straughn & Lamb, Chartered & list of lobbyist registrations.

**PUBLIC SAFETY AND REGULATORY
SERVICES:**

CITY CLERK (263271)

FY98 Consolidated Plan: Re letter from Legal Aid Society of Mpls.

**PUBLIC SAFETY AND REGULATORY
SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (263272)

Rental Dwlg Lic: Reinstatement for property at 2012 Oakland Av S.

Raze Bldgs: Apprv demo of 2001-03 21st Av N. Raze Bldgs: Apprv demo of 2922 Lyndale Av N.

LICENSES AND CONSUMER SERVICES
(263273)

Lics: Appls.

POLICE DEPARTMENT (263274)

Leased Office Space: Amend #1 to Contr #8986 w/Clifton Properties.

Counseling Servs: Amend #1 to Contr #10036 w/Rebehn & Associates, Inc.

Child Abuse Evaluation: Contr w/Child Abuse Evaluation Ctr (Cornerhouse).

**PUBLIC SAFETY AND REGULATORY
SERVICES and WAYS & MEANS/
BUDGET:**

COORDINATOR (263277)

Civilian Police Review Authority: Info re redesign process.

EMERGENCY COMMUNICATIONS
CENTER (ECC) (263275)

Emergency Communications Ctr Work Space: Info re remodeling or relocating dept.

**PUBLIC SAFETY AND REGULATORY
SERVICES and WAYS & MEANS/
BUDGET (See Rep):**

COORDINATOR (263276)

1997-1999 MN Weed & Seed Funding:
Funding appls for Central, Phillips & Northside Sites.

POLICE DEPARTMENT (263278)

Donations: Solicit funds and/or goods & servs for Southern Police Institute Alumni Assn Retraining Conference in 2000.

Demystifying Palm Print Symposium: Accept registration fees.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING
(263279)

1308-1315 Currie Av Petrofund

Reimbursement: Update report.

Transtop Minnesota: Report on franchise fee received for third quarter 1997.

PUBLIC WORKS AND ENGINEERING
(263280)

Nicollet Mall Improvement, Maintenance & Operation payable in 1998, proposed assessment roll.

**TRANSPORTATION AND PUBLIC WORKS
(See Rep):**

PUBLIC WORKS AND ENGINEERING
(263281)

Conveyance of City Alley for Rosacker Townhouse Development: Convey parcel located in Lot 10, Pleasant Heights Addition, accept new easements for alley and create cul de sac in McKinley St NE.

The Quarry Project: Assessments for street improvements adjacent to project bounded by 18th Av NE, New Brighton Boulevard, I-35W & Johnson NE.

Realignment of 21st Av S betw E 28th & 29th Sts: Authorize enter Minnesota Pollution Control Agency's Voluntary Investigation and Cleanup Program and Minnesota Department of Agriculture Voluntary Cleanup Technical Assistance Program in order to commence construction.

Landscaping adjacent to I-35W in Central Neighborhood: Execute agreement with Minnesota Department of Transportation to authorize City to purchase planting materials to be planted by neighborhood volunteers.

Hiawatha Av Construction (between I-94 & E 32nd St): Execute joint property acquisition agreement with Minnesota Department of Transportation for required land.

Alley Paving (E 55th - 56th Sts, 30th & Nokomis Av S): Reduce special assessments, levy reduced assessments, and adopt assessment rolls.

New Nicollet Mall Service Charges: Adopt assessment roll for 1998.

PUBLIC WORKS AND ENGINEERING
(263282)

1997 Levy of Various Public Works Department Special Assessments: Adopt Assessment rolls.

Sanitary Sewer (E 25th St - 1st to Stevens Avs S): Reduce assessments, levy reduced assessments, and adopt assessment rolls.

Geographic Information System (GIS): Execute agreement with Geographic Software Specialists to provide computer support.

Digital Orthophotos: Extend agreement with MARTINEZ Corporation to create digital orthophotos.

Routine Maintenance of County State Aid Highway System: Execute pilot agreement with Hennepin County for calendar years 1998 and 1999 to provide necessary maintenance services on County roads.

Hybrid Electric Buses: Execute interagency agreement with Metropolitan Council for acquisition of five low floor buses to be used by Metropolitan Transit on Nicollet Mall and in downtown.

Honorary Renaming of Public Streets: Approve naming of Dziedzic, Rainville, Scott and Schulstad Avenues/Street.

PUBLIC WORKS AND ENGINEERING (263283)

1997 Residential Paving Program (Nicollet Island, Whittier Northeast and Elliot Park): Reduce special assessment, levy reduced assessments, and adopt assessment rolls.

Special Service Districts: Proposed 1998 services, cost estimates and methods to determine service charges for Central Avenue, Hennepin-Lake, Dinkytown and Stadium Village.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (263284)

Bids: OP #4732, accept low bid of Boiler Services for three burners for Water Dept; OP #4731, accept low bid meeting specifications of RMR Services for radio frequency based automatic meter reading equipment; OP #4744, accept low bid of Tri-State Drilling, Inc for lined shaft holes for sewer construction.

Overhead Signal (Lowry Av N at Penn Av N): Execute agreement with Hennepin County for installation of signal indications, with capital appropriation.

District Sidewalk Contractors: Increase contracts with Gunderson Brothers and Standard Sidewalk.

Minneapolis Concrete Plant: Implement recommendations of Public Works and Finance to suspend operations at plant for a maximum of two years, dispose of current fleet of concrete mixer trucks and purchase concrete through competitive bids process.

Greyhound Jefferson Parking Facility: Acquire Malkerson property, execute lease with

Greyhound/Jefferson Lines, and amend agreement with MNDOT to allow for repayment of improvements to TAD 7.

WAYS AND MEANS BUDGET:

PURCHASING (263286)
Staff Purchasing Letters.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (263287)

LSGI Settlements: Approve settlements with various property owners within the footprint of the failed development proposal.

Settlement: Claim of Lon A. Wright.

Fair Labor Standards Act (FLSA) Lawsuit Settlement: Amend previously approved settlement terms regarding lawsuit entitled Hagen et al. vs. City.

CITY CLERK (263288)

Price Agreements: Establish 1998 agreements with U.S. Postal Service, Anchor Paper and Special School District #1.

CONVENTION CENTER (263289)

Catering Services: Authorize extension of contract with Kelber Catering, Inc., accept offer to invest in additional food service equipment and expand minority outreach program and agree to renegotiate contract if completion project proceeds.

COORDINATOR (263290)

Grants & Special Projects Appropriation Amendments: Approve technical appropriation increases for previously approved activities.

Convention Center Completion Project: Approve selection process for design services and authorize issuance of Request for Proposals; Authorize contract with Setter Leach Lindstrom to update building program.

Convention Center Parking Garage: Authorize issuance of Request for Proposals for design services.

NEIGHBORHOOD SERVICES DEPARTMENT (263285)

McKnight Foundation Welfare-To-Work Grant: Authorize execution of Master Contracts with agencies that will provide services.

OPERATIONS & REGULATORY SERVICES (263291)

Greater Minneapolis Convention & Visitors Association: Amend funding agreement to streamline annual appropriation process.

ZONING AND PLANNING:

CITY CLERK/SPECIAL PERMITS (263292)

New Brighton Blvd, 1630 (Party City of Quarry) balloon on roof.

PLANNING COMMISSION/DEPARTMENT (263293)

Zoning Code Revision: Amendments to Mpls Code of Ordns relating to comprehensive zoning code revision except for the Downtown zoning districts & zoning maps, including: Chapters 520, 521, 525, 527, 529, 530, 531, 535, 536, 537, 541, 543, 544, 546, 547, 548, 550, 551, 552, 598.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (263294)

Columbus Av S, 3179 (Urban Homeworks Inc) waive full basement requirement; Park Av, 3245 (Superior Home Services) waive full basement requirement.

PLANNING COMMISSION/DEPARTMENT (263295)

Zoning Code Text Amendments: Ordn amending Title 20, Chapter 522, adding clarification & new effective date to the home occupation ordn, w/Attachments; Ordn amending Title 20, Chap 540, extending the storefront ordn to include Sears site.

PUBLIC AFFAIRS (263296)

Real Estate Advisory Board: Reappointments of Kim Douglas, Sandy Green, Jean Leake, Pauline Rohrman & Jan Russell.

PLANNING COMMISSION:

HENNEPIN COUNTY (263297)

Permsn to vacate alley connecting 4th & 5th Avs S.

ROBERT MUIR COMPANY (263298)

Permsn to vacate portion of 31st St & Abbott Av S intersection.

FILED:

CITY CLERK/SPECIAL PERMITS (263299)

Lake St E, 1700 (K K Design) sign; University Av NE, 2425 (Top Line Advertising) sign.

BALLOU, CARON T. (263300)

Water Service Assessment: Appeal on charges to property at 2420 4th Avenue S.

**REPORTS OF
STANDING COMMITTEES**

The **CLAIMS** - Committee submitted the following report:

CLAIMS Your Committee recommends that the claims filed against the City by the

following individuals be settled as follows:

690-150 Kurt Mueller, \$6,705.22;

Farmers Insurance subrogee of Ron Saba, \$1,634.09; Eric Stumne, \$2,500; Wrecker Services, \$13,635.82; Angela Rud, \$3,320; Jennifer Hageman, \$1,000; Janine Gatlin, \$1,500; Susan Herzog, \$35.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The COMMUNITY DEVELOPMENT

Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration a proposal to issue revenue bonds to finance capital improvements to Orchestra Hall, 1111 Nicollet Mall, including remodeling, exterior signage, lobby box office relocation, reception area expansion and improvements to comply with the Americans with Disabilities Act, and having conducted a public hearing thereon on November 10, 1997, notice of which was published in Finance and Commerce on October 25, 1997, now recommends passage of the accompanying resolution granting final approval to issue up to \$1 million of Tax Exempt Revenue Bonds at an interest rate not to exceed 7% for the Minnesota Orchestral Association. (Petr No 263261)

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-356, entitled "Providing for the issuance and sale of \$1,000,000 Revenue Notes, Series 1997 (The Minnesota Orchestral Association) and authorizing execution and delivery of the notes, a loan and note purchase agreement, and assignment", was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. The full text of the resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-356

By Niland

Providing for the issuance and sale of \$1,000,000 Revenue Notes, Series 1997 (The Minnesota Orchestral Association) and authorizing execution and delivery of the notes, a loan and note purchase agreement, and assignment.

Resolved by The City Council of The City of Minneapolis:

1. City. This City is, by the Constitution and Laws of the State of Minnesota, including Sections 469.152 to 469.165, Minnesota Statutes, as amended (the Act), authorized to issue and sell its revenue bonds and notes for the purpose of financing the cost of acquisition of authorized projects and to enter into contracts necessary or convenient in the exercise of the powers granted by the Act and to pledge revenues of the project and otherwise secure the bonds and notes.

2. Authorization of Notes. The City hereby determines that it is necessary and expedient to authorize, and the City does hereby authorize, the issuance and sale of the City's Revenue Notes, Series 1997 (The Minnesota Orchestral Association) (the Series 1997 Notes or the Notes) pursuant to the Act to provide money to be loaned to The Minnesota Orchestral Association, a Minnesota nonprofit corporation (the Borrower) in the aggregate principal amount of One Million Dollars (\$1,000,000) to finance costs of certain improvements at the Borrowers concert hall and related facilities (the Project) to be leased or owned and operated by the Borrower. The Notes shall be issued as a single promissory note in the principal amount of \$1,000,000 (the Note), shall be dated the Closing Date (as defined in the Agreement hereinafter referred to), and shall be payable in quarterly or semiannual installments of principal and interest as shall be acceptable to the Borrower, Purchaser and Finance Officer. The Note shall mature not later than the tenth anniversary of the Closing Date, shall bear interest at the basic rate to be determined by the Borrower, Finance Officer and Purchaser of not to exceed 6.50% per annum, and shall be subject to optional redemption on any semiannual payment date, in whole but not in part at a redemption price consisting of the installment of principal and interest then due plus the applicable Termination Value to be set forth therein. In the event of a Determination of Taxability (as defined in the Agreement), the Note shall bear additional interest

at the rate of two percent (2.00%) per annum for an aggregate interest rate two percent above the basic interest rate from the Date of Taxability (as defined in the Agreement).

3. Documents Presented. Forms of the following documents relating to the Note and the Project have been prepared or reviewed by Faegre & Benson, LLP as bond counsel, and submitted to the City and are now on file in the office of the City Clerk:

(a) Loan and Note Purchase Agreement (the Agreement), dated as of November 1, 1997, by and among the City, the Borrower and Norwest Investment Services, Inc. (the Purchaser) whereby, among other things, the City agrees to sell and the Purchaser agrees to purchase the Notes, the City agrees to make a loan to the Borrower of the proceeds of the sale of the Notes, and the Borrower covenants to complete the Project and to pay amounts sufficient to provide for the prompt payment of the principal of and interest on the Notes.

(b) Assignment of Loan Repayments and Rights (the Assignment) to be dated the Closing Date, whereby the City assigns to the Purchaser all of its interest in the Loan Repayments of the Borrower under the Agreement and all of its interest in the Agreement, for the purpose of securing the Notes, with certain exceptions as set forth therein.

4. Findings. It is hereby found, determined and declared that:

(a) The Project furthers the purposes and policies of the Act.

(b) The City, through its Community Development Committee, held a public hearing on November 10, 1997 relating to the Project, and in the opinion of bond counsel, based on representations of the Borrower, the Series 1997 Notes will be qualified Section 501(c)(3) bonds within the meaning of Section 145 of the Code the interest on which will be exempt from Federal income tax.

(c) The Purchaser has presented a proposal to purchase the Series 1997 Notes at a price of \$1,000,000 on the terms and conditions set forth in the Agreement, this Note Resolution and the Notes, which provides a net interest cost of not to exceed 6.50% per annum (excluding underwriting compensation of reoffering at a 2% premium). The Purchaser has agreed to act as Paying Agent and Registrar with respect to the Notes.

(d) Under the Agreement, the Purchaser represents that it has not sold and agrees that it will

not sell the Notes or any interest therein except in denominations of \$100,000 or greater to financial institutions or institutional buyers within the meaning of Section 80A.15, Subd. 2(g) of the Minnesota Securities Act and regulations thereunder (Investors). The Purchaser has agreed to execute and to cause each Investor to execute an Investment Letter substantially in the form of Exhibit B to the Agreement, representing among other things that the Purchaser or Investor is purchasing the Notes or interest therein for investment and not with a view to redistribution thereof and that the Purchaser or Investor is a financial institution or institutional buyer and has received all information deemed by it necessary and relevant to its decision to purchase the Notes or interest therein.

(e) The representations of the City in Section 2.01 of the Agreement are true and correct.

(f) The Agreement provides for payments by the Borrower to the Purchaser for the account of the City of such amounts as will be sufficient to pay the principal of and interest on the Notes when due. No reserve funds are deemed necessary for this purpose. The Agreement obligates the Borrower to provide for the operation and maintenance of the Project Facilities, including adequate insurance, taxes and special assessments. The Agreement further provides for the payment of fees to the City as set forth therein.

(g) The Borrower has approved and requested the City to accept the proposal of the Purchaser to purchase the Notes on the terms set forth herein and in the Agreement, and the proposal appears feasible and reasonable.

(h) The Notes are, and are hereby designated to be, program bonds as defined in Resolution No. 88R-021 of the City Council adopted January 29, 1988.

5. Approval and Execution of Documents. The forms of Agreement and Assignment referred to in paragraph 3 are approved and upon approval of the Project by the Commissioner of Trade and Economic Development shall be executed in the name and on behalf of the City by the Mayor and attested by the Clerk and Finance Officer or the officers authorized to act on behalf of the foregoing officers, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof.

6. Approval of Terms and Sale of Notes. The

City shall proceed forthwith to issue its Series 1997 Notes, in the amounts, maturing, bearing interest, payable in the installments and otherwise containing the provisions set forth in paragraph 2 hereof and in the form of Note attached to the Agreement as Exhibit A-1, which terms and provisions are hereby approved and incorporated in this Note Resolution and made a part hereof. A single Note, substantially in the form of Exhibit A-1 to the Agreement, shall be issued and delivered to the Purchaser, and principal of and interest on the Note shall be payable at the office of the Purchaser, acting as Paying Agent and Registrar in Minneapolis, Minnesota.

7. Execution, Authentication and Delivery of Notes. The Note may be in typewritten or printed form and shall be executed by the manual or facsimile signatures of the Mayor, City Clerk and Finance Officer and the official seal of the City shall be affixed thereto. When so prepared and executed, the Note shall be delivered to the Purchaser for authentication as Registrar and payment of the purchase price, upon satisfaction of the conditions specified on the Agreement, including receipt of the signed legal opinion of Faegre & Benson LLP, of Minneapolis, Minnesota, bond counsel.

8. Registration Records. Norwest Investment Services, Inc., as Paying Agent and Registrar, shall keep a register which shall provide for the registration of the Notes and for transfers of the Notes. The principal of and interest on the Notes shall be paid to the Purchaser for the account of the Holders entitled thereto in Federal or other immediately available funds.

9. Mutilated, Lost, Stolen or Destroyed Note. If a Note is mutilated, lost, stolen or destroyed, the City may execute and deliver and the Paying Agent and Registrar may authenticate to the Holder a new Note of like amount, date, unpaid principal amount and tenor as that mutilated, lost, stolen or destroyed; provided that, in the case of mutilation, the mutilated Note shall first be surrendered to the City, and in the case of a lost, stolen or destroyed Note, there shall be first furnished to the City, the Borrower and the Purchaser evidence of such loss, theft or destruction satisfactory to them, together with indemnity satisfactory to them. The City, the Borrower and the Purchaser may charge the Holder with their reasonable fees and expenses in replacing any mutilated, lost, stolen or destroyed Note.

10. Transfer of Note; Person Treated as Holder. A Note shall be transferable by the

Owner on the note register, upon presentation of the Note for notation of such transfer thereon at the office of the Paying Agent and Registrar, accompanied by a written instrument of transfer in form satisfactory to the Paying Agent and Registrar, duly executed by the Owner or its attorney duly authorized in writing. The Note shall continue to be subject to successive transfers at the option of the Owner of the Note. No service charge shall be made for any such transfer, but the Paying Agent and Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith. The person in whose name the Note shall be issued or, if transferred, shall be registered from time to time shall be deemed and regarded as the absolute Holder thereof for all purposes, and payment of or on account of the principal of and interest on the Note shall be made only to the Holder thereof, or to the Purchaser for the account of the Holder, and neither the City, the Borrower nor the Paying Agent and Registrar shall be affected by any notice to the contrary. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Note to the extent of the sum or sums so paid. The Notes shall be initially registered in the name of the Purchaser.

11. Amendments, Changes and Modifications to Agreement, Assignment and Note Resolution. Except pursuant to Section 3.03, 4.01 or 9.05 of the Agreement, the City shall not enter into or make any change, modification, alteration or termination of the Agreement, the Assignment or this Note Resolution.

12. Pledge to Holder. Pursuant to the Assignment, the City shall pledge and assign to the Purchaser and its successor Holders of the Notes all interest of the City in all Loan Repayments to be made by the Borrower under the Agreement and moneys derived from enforcement of the Agreement other than moneys received by the City as indemnity or reimbursement of advances by the City. Other than such indemnity and advance reimbursement payments, all collections of moneys by the City in any proceeding for enforcement of the obligations of the Borrower under the Agreement shall be received, held and applied by the City for the benefit of the Holders of the Notes.

13. Covenants with Holders; Enforceability. All provisions of the Notes and of this Note Resolution and all representations and undertakings by the City in the Agreement are hereby declared to be covenants between the City and the Purchaser

and its successor Holders of the Notes and shall be enforceable by the Purchaser or any Holder in a proceeding brought for that purpose.

14. Escrow Account. The proceeds of the Series 1997 Notes shall be deposited into the Escrow Account to be invested and to be withdrawn by the Borrower upon order of the Authorized Borrower Representative for payment of Project Costs as provided in the Agreement.

15. Prior Action Ratified. The terms and provisions of the Agreement, the Assignment and each resolution of the City heretofore adopted by the City relating to the Series 1997 Notes or the Project and the application relating thereto are all hereby incorporated by reference and adopted, ratified and confirmed; the City shall file an application for approval with the Commissioner of Trade and Economic Development; and the officers of the City and Faegre & Benson LLP as bond counsel are hereby authorized and directed to execute and deliver all closing documents and do every other thing necessary or convenient to carry out the terms and provisions of the Agreement and each exhibit thereto (including this Note Resolution) to the end that the Project shall be acquired and that the Series 1997 Notes shall be delivered, secured and serviced and carry out the purposes and provisions of the Act with respect thereto without further resolution or other action by this City.

16. Definitions and Note Interpretation. Terms not otherwise defined in this Note Resolution but defined in the Agreement shall have the same meanings in this Note Resolution and shall be interpreted herein as provided therein. Notices may be given as provided in Section 9.01 of the Agreement. In case any provision of this Note Resolution is for any reason illegal or invalid or inoperable, such illegality or invalidity or inoperability shall not affect the remaining provisions of this Note Resolution, which shall be construed or enforced as of such illegal or invalid or inoperable provision were not contained herein.

17. Certifications. The officers of the City are authorized and directed to prepare and furnish to Faegre & Benson, bond counsel, to the Borrower, to the Purchaser and to counsel for the Borrower and the Purchaser, certified copies of all proceedings and records of the City relating to the Project and the Notes, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers custody and control or as otherwise known to them; and all such certified copies, certificates

and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration a proposal to issue revenue bonds to finance the acquisition and construction of 199 units of student rental housing at 2515 University Av (The University Village Project), and the Council having granted preliminary approval to issue such bonds on September 12, 1997, now recommends passage of the accompanying resolution granting final approval to issue up to \$25 million of 501(c)(3) Tax Exempt Multifamily Housing Development Revenue Bonds for Wedum Foundation/The University Village Project. (Petn No 263261)

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 21, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 25, 1997)

Resolution 97R-357, entitled Authorizing the financing of a housing program under Minnesota Statutes, Chapter 462C, authorizing the issuance of Multifamily Housing Revenue Bonds (GNMA Collateralized Mortgage Loan University Village), in two series in an aggregate principal amount not to exceed \$25,000,000 to finance the program, and approving and authorizing the execution of various documents in connection therewith, was passed November 21, 1997 by the City Council and approved on November 21, 1997 by the Mayor. It gives final approval to the issuance of up to \$25 mill of 501(c)(3) tax exempt multifamily housing development bonds for the Wedum Foundation/ University Village Project, authorizes the execution of documents and provides that the bonds are not government obligation bonds. The full text of the resolution is available for public inspection in the Office of the City Clerk.

(Published November 25, 1997)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-357

By Niland

Authorizing the financing of a housing program under Minnesota Statutes, Chapter 462C, authorizing the issuance of Multifamily Housing Revenue Bonds (GNMA Collateralized Mortgage Loan University Village), in two series in an aggregate principal amount not to exceed \$25,000,000 to finance the program, and approving and authorizing the execution of various documents in connection therewith.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes Chapter 462C (the "Act") a city is authorized to carry out programs for the financing of multifamily housing for persons of low and moderate income, and to authorize its housing and redevelopment authority to act on its behalf; and

Whereas, on September 12, 1997, this City Council adopted a program (the "Program") for the issuance of bonds to make a loan to finance the acquisition and construction of 199 units of multifamily rental housing (the "Project") to be located at 2515 University Avenue in the City, by Wedum Foundation, a Minnesota nonprofit corporation (the "Company"); and

Whereas, the Program is to be financed from the proceeds of Tax Exempt Multifamily Housing Revenue Bonds (GNMA Collateralized Mortgage Loan University Village), Series 1997A (the "Senior Tax Exempt Bonds"), Taxable Multifamily Housing Revenue Bonds (GNMA Collateralized Mortgage Loan University Village), Series 1997B (the "Senior Taxable Bonds"), Tax Exempt Subordinate Multifamily Housing Revenue Bonds (University Village) (the Subordinate Tax Exempt Bonds, and together with the Senior Tax Exempt Bonds, the "Tax Exempt Bonds") and Taxable Subordinate Multifamily Housing Revenue Bonds (University Village) (the Subordinate Taxable Bonds, and together with the Senior Taxable Bonds, the Taxable Bonds) in an aggregate principal amount for all such series (which shall be referred to collectively herein as the Bonds) not to exceed \$25,000,000, to be issued by the City, and the revenues from the Project (as defined below) shall be pledged for the security of and payment for the Bonds (except as may be otherwise set forth in the Indenture hereinafter referred to); and

Whereas, the Bond proceeds will be used by the City to provide for funding of a loan (the "Loan") to the Company to finance the acquisition and construction of the Project; and

Whereas, the Bonds will be issued under an Indenture of Trust (the "Indenture"), and said Bonds and the interest on said Bonds shall be payable solely from the revenues pledged therefor and the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation nor give rise to a pecuniary liability of the City or a charge against its general credit or assets and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in said Project; and

Whereas, forms of the following documents (including the exhibits referred to therein) have been submitted to the City:

a. The Indenture to be made and entered into among the City and First Trust National Association (the "Trustee"), providing for the issuance of the Bonds, prescribing the form thereof, pledging the trust estate described therein for the security of the Bonds, and setting forth proposed recitals, covenants and agreements by the parties with respect thereto;

b. The Financing Agreement to be executed by the City, the Company, the Trustee and WMF/Huntoon Paige Associates Limited (the "Lender") pursuant to which the proceeds of the Bonds are applied to make a mortgage loan to the Company;

c. The Regulatory Agreement to be executed by the City, the Company and the Trustee, setting forth certain covenants of the Company;

d. A Bond Purchase Agreement, to be dated as of the date of execution thereof (the "Bond Purchase Agreement"), by and among the City, the Company and Dougherty Summit Securities LLC and Miller & Schroeder Financial, Inc. (collectively, the "Underwriter") providing for the purchase of the Bonds by the Underwriter;

e. A Preliminary Official Statement (the "Preliminary Official Statement").

The agreements described and referred to in paragraphs a through d above shall hereinafter sometimes be referred to collectively as the "Agreements."

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis: That it is hereby found, determined and declared that:

a. The preservation of the quality of life in the City is dependent upon the construction,

maintenance, provision, and preservation of an adequate housing stock which is affordable to persons and families of low or moderate income, that accomplishing this is a public purpose, and that many would-be providers of housing units in the City are either unable to afford mortgage credit at present market rates of interest or are unable to obtain mortgage credit because the mortgage credit market is severely restricted;

b. The development and implementation of the Program, and the issuance and sale of the Bonds by the City, and the execution and delivery of the Agreements and the performance of all covenants and agreements of the City contained therein and of all other acts and things required under the Constitution and Laws of the State of Minnesota to make the Agreements and the Bonds valid and binding obligations of the City in accordance with their terms, are authorized by the Act;

c. The implementation of the Program for the purposes and in the manner contemplated by the Agreements conforms or will conform to all pertinent statutes, regulations and ordinances of the State of Minnesota and the City;

d. It is desirable that the Bonds in the principal amount not to exceed \$25,000,000 be issued by the City, on the terms set forth in the Indenture, the Financing Agreement and the Bond Purchase Agreement;

e. The payments required or provided for by the Agreements are intended to produce income and revenues sufficient to provide for the payment when due of principal of and interest on all Bonds issued under the Indenture, and payments are required to be made for such expenses of, among other things, administration of the Program, as will be necessary to protect the interests of the City and the Trustee; and

f. Pursuant to the provisions of the Act, and as provided in the Agreements, the Bonds shall be retired solely from the revenues of the Project and other revenues specifically pledged therefor.

Be It Further Resolved that the Agreements in substantially the forms submitted to the City at this meeting are hereby approved. Such of the documents as require the execution of the City are hereby authorized and directed to be executed or accepted, as the case may be, and delivered in the name and on behalf of the City by its Mayor, City Clerk and Finance Officer upon execution thereof by the parties thereto as appropriate. The Bonds and the Agreements shall be executed and delivered as provided therein. Copies of all the

documents necessary for the consummation of the transactions described herein and in the Agreements shall be delivered, filed and recorded as provided herein and in the Agreements.

Be It Further Resolved that the form and terms of the Agreements may be varied prior to execution and delivery by the parties thereto, provided that any such variance shall not be, in the opinion of the City's legal counsel and the Mayor, materially adverse to the interests of the City. The execution and delivery of the Agreements as provided above shall be conclusive evidence of the determination that any such variance was not materially adverse to the interests of the City.

Be It Further Resolved that in anticipation of the collection of revenues of the Project, there shall be issued forthwith the Bonds, in an aggregate principal amount not to exceed \$25,000,000 of which approximately \$23,500,000 shall be issued as Tax Exempt Bonds and approximately \$1,500,000 shall be issued as Taxable Bonds, which issuance is approved, substantially in the forms and upon the terms set forth in the Indenture, the terms of which are for this purpose incorporated in this resolution and made a part hereof as if fully set forth herein. The Bonds shall be dated as of the date and shall mature on the dates (subject to redemption on such earlier dates as provided in the Indenture), bear interest and be payable at the rates, all determined as set forth in the Indenture, provided that such rates shall result in an average coupon rate not greater than 7.5%. The City may at its option issue additional bonds at a later date to be used to pay or reimburse costs of the Project not paid from the proceeds of the Bonds, in a principal amount not to exceed the amount set forth in the Program.

Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the Program are hereby approved, ratified and confirmed.

Be It Further Resolved that the sale of said Bonds to the Underwriter is hereby approved, and the Bonds are hereby directed to be sold to the Underwriter, upon the terms and conditions set forth in the Bond Purchase Agreement. The Mayor, City Clerk and Finance Officer of the City are hereby authorized and directed to prepare and execute by manual or facsimile signature the Bonds as described in the Indenture and to deliver them to the Trustee (which is herein designated as the authenticating agent under Minnesota Statutes, Section 475.55) for authentication and delivery to

or as instructed by the Underwriter, together with a certified copy of this resolution, and the other documents required by the Indenture.

Be It Further Resolved that the Mayor, City Clerk, Finance Officer and other officers of the City are authorized and directed to prepare and furnish when the Bonds are issued, certified copies of all proceedings and records of the City relating to the Bonds and such other affidavits and certificates (including but not limited to those required by bond counsel) as may be required to show the facts relating to the legality, tax exemption and marketability of the Bonds as such facts appear from the books and records in said officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements made by the City and contained therein. The Mayor, City Clerk, Finance Officer and said officers are further authorized to execute such additional documents as shall be determined by the Mayor to be necessary and desirable to provide for the issuance of the Bonds.

Be It Further Resolved that the Mayor, City Clerk, Finance Officer and other officers of the Issuer consent to the distribution of the Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Issuer. The Mayor, City Clerk, Finance Officer and said officers further consent to the use by the Underwriter in connection with the sale of the Bonds of a final Official Statement, substantially in the form of the Preliminary Official Statement described above. The Preliminary Official Statement and the Official Statement are the sole materials consented to by the Mayor, City Clerk, Finance Officer and said officers for use in connection with the offer and sale of the Bonds. The Mayor, City Clerk, Finance Officer and said officers have not participated in the preparation thereof, have not made any independent investigation of the information contained therein and shall have no liability in connection with the contents of or use of such offering materials.

Be It Further Resolved that all covenants, stipulations, obligations and agreements of the City contained in this resolution and the aforementioned documents shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations

and agreements shall be binding upon the City. Except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the City, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City, or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the aforementioned documents, the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Project or the proceeds of the Bonds which are to be applied to the payment of the Bonds, as provided therein and in the Indenture. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal of the Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Bonds shall recite in substance that the Bonds, including the interest thereon, are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that except as herein otherwise expressly provided, nothing in this

resolution or in the aforementioned documents expressed or implied is intended or shall be construed to confer upon any person or firm or corporation, other than the City or any holder of the Bonds issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provision hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Bonds issued under the provisions of this resolution.

Be It Further Resolved that in case any one or more of the provisions of this resolution, or of the aforementioned documents, or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Bonds, but this resolution, the aforementioned documents, and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Be It Further Resolved that the Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Bonds and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Bonds and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Bonds and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

Be It Further Resolved that in the event any of the officers of the City authorized to execute documents on behalf of the City under this resolution shall have resigned or shall for any reason be unable to do so, any member of the City, or officer of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by the officer authorized to do so in this resolution.

Be It Further Resolved that this Resolution shall take effect upon publication.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 21, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration a proposal to issue revenue bonds to finance the construction of an alumni/visitor center and office building at Oak Street between Washington and University Avenues (the University Gateway Project), and the Council having granted preliminary approval to issue said bonds on August 8, 1997, now recommends passage of the accompanying resolution granting final approval to the issuance of up to \$40 million of Tax Exempt Revenue Bonds for the University Gateway Corporation, a 501(c)(3) nonprofit organization. (Petn No 263261)

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 21, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 25, 1997)

Resolution 97R-358, entitled Authorizing the issuance and sale of, and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the Revenue Bonds (University Gateway Project), Series 1997-A, and the Variable Rate Demand Revenue Bonds (University Gateway Project), Series 1997-B, under Minnesota Statutes, Sections 469.152-469.165, to be issued to finance the acquisition and construction of an office building to be located on the Minneapolis campus of the University of Minnesota, was passed November 21, 1997 by the City Council and approved on November 21, 1997 by the Mayor. It gives final approval to issue \$40 million of 501(c)(3) revenue bonds to finance an alumni/visitor center & office building, the University Gateway Project. The full text of the resolution is available for public inspection in the Office of the City Clerk.

(Published November 25, 1997)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-358

By Niland

Authorizing the issuance and sale of, and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the Revenue Bonds (University Gateway Project), Series 1997-A, and the Variable Rate Demand Revenue Bonds (University Gateway Project), Series 1997-B, under Minnesota Statutes, Sections 469.152-469.165, to be issued to finance the acquisition, construction, and equipping of an office building to be located on the Minneapolis campus of the University of Minnesota.

Resolved by the City Council of the City of Minneapolis:

Section 1. Background

1.01. Statutory Authorization. The City of Minneapolis (the City) is authorized by Minnesota Statutes, Sections 469.152 through 469.165, as amended (the Act), to issue revenue bonds to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of a project, defined in the Act as any properties, real or personal, used or useful in connection with a revenue producing enterprise, for the public purposes expressed in the Act.

1.02. The Corporation and the Project. The University of Minnesota Foundation (the University Foundation), the University of Minnesota Alumni Association (the Alumni Association), and the Minnesota Medical Foundation (the Medical Foundation) have jointly established University Gateway Corporation, a Minnesota nonprofit corporation (the Corporation), and received a determination from the Internal Revenue Service that the Corporation is exempt from federal income taxation under Section 501(a) of the Internal Revenue Code of 1986, as amended (the Code), as a result of the application of Section 501(c)(3) of the Code. The Corporation is proposing to undertake the development of a six-story office building and related facilities (the Project) to be located on the former site of Memorial Stadium on Oak Street between Washington Avenue and University Avenue on the Minneapolis campus of the University of Minnesota. The Project will contain approximately 220,000 square feet of interior space. The Project will provide office and meeting space to the University Foundation, the Alumni Association,

the Medical Foundation, and the University of Minnesota, and will serve as an alumni and visitor center for the University of Minnesota.

1.03. The Series 1997 Bonds. The Corporation has requested that the City issue its Revenue Bonds (University Gateway Project), Series 1997-A (the Series 1997-A Bonds), in the original aggregate principal amount of \$25,000,000, and its Variable Rate Demand Revenue Bonds (University Gateway Project), Series 1997-B (the Series 1997-B Bonds), in the original aggregate principal amount of \$15,000,000 (the Series 1997-A Bonds and the Series 1997-B Bonds are hereinafter collectively referred to as the Bonds), under the Act and the terms and conditions of an Indenture of Trust, dated as of December 1, 1997 (the Indenture), between the City and First Trust National Association, as trustee (the Trustee), to provide construction and permanent financing for the Project. The Series 1997-A Bonds are proposed to be sold pursuant to the terms of a Bond Purchase Agreement (the Series 1997-A Purchase Agreement) among the City, the Corporation and Dain Bosworth Incorporated and Norwest Investment Services, Inc. (the Underwriters). The Series 1997-B Bonds are proposed to be sold pursuant to the terms of a Bond Purchase Agreement (the Series 1997-B Purchase Agreement) among the City, the Corporation and the Underwriters. The proceeds derived from the sale of the Bonds will be loaned to the Corporation under the terms of a Loan Agreement, dated as of December 1, 1997 (the Loan Agreement), between the City and the Corporation, and the Corporation will direct the application of the proceeds of the loan to the acquisition, construction, and equipping of the Project.

1.04. Security for the Bonds. The loan repayments to be made by the Corporation under the Loan Agreement will be fixed so as to produce revenue sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The City will assign its rights to the basic payments and certain other rights under the Loan Agreement to the Trustee as security for payment of the Bonds under the Indenture. The Corporation will further secure the payment of the Bonds and the interest thereon, by delivering a Mortgage and Security Agreement, dated as of December 1, 1997 (the Mortgage), from the Corporation to the City (to be assigned by the City to the Trustee and the University Foundation), and an Assignment of Leases and Rents, dated as of

December 1, 1997 (the Assignment), from the Corporation to the Issuer. The interests of the City in the Mortgage and the Assignment will be assigned to the Trustee and the University Foundation under the terms of an Assignment of Mortgage and Security Agreement, dated as of December 1, 1997 (the Assignment of Mortgage), between the City and the Trustee. The payment of the principal of, premium, if any, and interest on the Bonds will also be secured under the terms of a Guaranty Agreement, dated as of December 1, 1997 (the Guaranty Agreement), to be executed by the University Foundation and delivered to the Trustee for the benefit of the owners of the Bonds, and the Bank (as hereinafter defined).

1.05. Liquidity for the Series 1997-B Bonds. The Series 1997-B Bonds will be issued as variable-rate obligations each of which is required to be purchased from the holder upon seven days notice. In order to ensure the holders that the Series 1997-B Bonds will be purchased upon demand of the holders, the Corporation and the Guarantor will enter into a Standby Bond Purchase Agreement, dated as of December 1, 1997 (the Standby Purchase Agreement), with Norwest Bank Minnesota, National Association (the Bank). Under the terms of the Standby Purchase Agreement, the Bank will be obligated, under certain conditions, to purchase any Series 1997-B Bond which cannot be remarketed prior to the purchase date. The remarketing of Series 1997-B Bonds that are required to be purchased will be undertaken pursuant to the provisions of a Remarketing Agreement, dated as of December 1, 1997 (the Remarketing Agreement), among the City, the Trustee, the Corporation, and the Underwriters.

1.06. Documents. Forms of the following documents have been submitted to the Council and are now on file with the City Clerk: (i) the Loan Agreement; (ii) the Indenture; (iii) the Mortgage; (iv) the Assignment; (v) the Assignment of Mortgage; (vi) the Guaranty Agreement; (vii) the Series 1997-A Purchase Agreement; (viii) the Series 1997-B Purchase Agreement; (ix) the Standby Purchase Agreement; and (x) the Remarketing Agreement.

Section 2. Issuance of the Bonds

2.01. Findings. The City Council hereby finds, determines, and declares that:

(a) The issuance and sale of the Bonds, the execution and delivery by the City of the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Indenture, the Series 1997-A

Purchase Agreement, the Series 1997-B Purchase Agreement, and the Remarketing Agreement, and the performance of all covenants and agreements of the City contained in the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Indenture, the Series 1997-A Purchase Agreement, the Series 1997-B Purchase Agreement, and the Remarketing Agreement are undertaken pursuant to the Act.

(b) The Project furthers the purposes stated in Section 469.152 of the Act and constitutes a project, as defined in Section 469.153, subdivision 2(b), of the Act.

(c) The loan repayments to be made by the Corporation under the Loan Agreement are fixed to produce revenue sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds issued under the Indenture when due, and the Loan Agreement and Indenture also provide that the Corporation is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all lawfully imposed taxes and special assessments levied upon or with respect to the Project and payable during the term of the Loan Agreement and Indenture.

(d) As provided in the Loan Agreement and the Indenture, the Bonds shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of any Bonds shall ever have the right to compel any exercise by the City of its taxing powers to pay any of the Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and in the Mortgage, and the revenues and assets thereunder, which will be assigned to the Trustee under the Indenture. The Bonds shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City, except the interests of the City in the Loan Agreement and the Mortgage, and the revenues and assets thereunder, which will be assigned to the Trustee under the Indenture. The Bonds shall recite that the Bonds are issued pursuant to the Act, and that the Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Bonds shall not constitute a debt of the City within

the meaning of any constitutional or statutory limitation.

2.02. Issuance and Sale of the Bonds. The City hereby authorizes the issuance of the Bonds, in the principal amount, in the form, and upon the terms and conditions set forth in the Indenture. The aggregate principal amount of the Bonds, the principal amount of Bonds maturing on each maturity date, the interest rates of the Bonds for each maturity date, the date of the documents referenced in this resolution and the Bonds, and the terms of redemption of the Bonds may be established or modified with the approval of the City. The execution and delivery of the Bonds shall be conclusive evidence that the City has approved such terms as subsequently established or modified. The Bonds are hereby designated Program Bonds and are determined to be within the Economic Development Program and the Program, all as defined in Resolution 88R-021 of the City adopted January 29, 1988. The offer of the Underwriters to purchase the bonds as provided in the Series 1997-A Purchase Agreement and the Series 1997-B Purchase Agreement at the prices established under the terms of the Series 1997-A Purchase Agreement and the Series 1997-B Purchase Agreement, plus accrued interest to the date of delivery at the interest rate or rates specified in the Indenture, is hereby accepted. The Corporation shall pay all fees and commissions due to the Underwriters. The Mayor, City Clerk, and Finance Officer are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and the Bonds shall be delivered to the Trustee for authentication and delivery to the Underwriters. The Finance Officer is hereby authorized to execute and deliver any agreements with any depository institution, including any representation letter or amendment to any existing representation letter, to provide for the registration of the Bonds in book-entry form.

2.03. Approval of Documents. The Loan Agreement, the Mortgage, the Assignment of Mortgage, the Remarketing Agreement, the Series 1997-A Purchase Agreement, the Series 1997-B Purchase Agreement, and the Indenture are hereby approved in substantially the forms on file with the City on the date hereof. The terms of the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Remarketing Agreement, the Series 1997-A Purchase Agreement, the Series 1997-B Purchase Agreement, and the Indenture may be established or modified with the approval of the City. The execution and delivery of such

documents shall be conclusive evidence that the City has approved such terms as subsequently established or modified. The Mayor, City Clerk, and Finance Officer are authorized and directed to execute and deliver the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Remarketing Agreement, the Series 1997-A Purchase Agreement, the Series 1997-B Purchase Agreement, and the Indenture. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in the Loan Agreement and Indenture.

2.04. Disclosure Documents. The City consents to the distribution of a Preliminary Official Statement and an Official Statement prepared with respect to the issuance of the Bonds. The Preliminary Official Statement and the Official Statement shall recite that the City has not participated in the preparation of the Official Statement nor made any independent investigation of the information contained in the Official Statement, and the City takes no responsibility for the sufficiency, accuracy or completeness of such information. The City hereby approves the execution and delivery of a Continuing Disclosure Agreement, dated as of December 1, 1997 (the Continuing Disclosure Agreement), between the Corporation and the Guarantor and the Trustee, pursuant to which the Corporation and the Guarantor will agree to meet certain continuing disclosure obligations imposed by Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the Rule). The Corporation, the Guarantor, and the Trustee shall acknowledge in the Continuing Disclosure Agreement that the City has undertaken no responsibilities with respect to any reports, notices, or disclosures required under the Continuing Disclosure Agreement or the Rule.

2.05. Certifications of the City. The Mayor, City Clerk, Finance Officer, and other officers, employees, and agents of the City are hereby authorized and directed to prepare and furnish to bond counsel, the Underwriters, and the Trustee certified copies of all proceedings and records of the City relating to the issuance of the Bonds including a certification of this resolution. Such officers, employees, and agents are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Underwriters, the Trustee, or other persons or entities in conjunction with the issuance

of the Bonds. Without imposing any limitation on the scope of the preceding sentence, such officers, employees, and agents are specifically authorized to execute and deliver one or more financing statements, an arbitrage and rebate certificate, a receipt for the proceeds derived from the sale of the Bonds, an order to the Trustee as to the application of the proceeds of the Bonds, a general certificate of the City, and an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038.

Section 3. Miscellaneous

3.01. Agreements Binding. All agreements, covenants, and obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the Bonds, shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

3.02. Rights Conferred. Nothing in this resolution or in the above-referenced documents is intended or shall be construed to confer upon any person (other than as provided in the Indenture and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

3.03. Validity. If for any reason the Mayor, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Mayor, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall

be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by a deputy or assistant to such officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

3.04. Effective Date. This resolution shall take effect and be in force from and after its approval and publication. Immediate publication of this resolution is hereby authorized.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 21, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration a review of tax-forfeited properties, now recommends passage of the accompanying resolution approving the classification of approximately 27 of those properties as non-conservation for various disposition, including withholding from public and private sale and conveyance to the Minneapolis Community Development Agency (MCDA), withholding from public and private sale and holding for one year by the MCDA, and release for public auction. (Petr No 263262)

Your Committee further recommends that the proper City officers be authorized to execute all necessary related documents.

Your Committee further recommends that the City reconvey the parcel located at 2822 Oliver Av N to Hennepin County.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA for adoption of a resolution authorizing the submission of an application to the Commissioner of Revenue and Hennepin County for the conveyance of said properties.

Niland moved that the Resolution be amended by deleting 3521 4th Av S from the list of properties to be released for public auction and adding it to the list of properties to be acquired. Seconded.

Adopted upon a voice vote.

The report with the amended resolution was adopted.

Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution No. 97R-359, entitled Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non conservation and the conveyance thereof, was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. The full text of the resolution is available for public inspection in the Office of the City Clerk. The provisions of said resolution are summarized below.

That the following parcels which have not already been designated as non-conservation land be designated as such and that all of the following parcels be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency: 3237 Elliot Av. S., 715 Lowry Av. N.E., 2747 Central Av. N.E., 2014 West Broadway, 1426 Logan Ave. N., 1805 Emerson Av. N., 1407 Thomas Av. N., 919 Penn Av. N., 914 Newton Av. N., 529 Knox Av. N., 3521 4th Av. S;

That the following parcels which have not already been designated as non-conservation land be designated as such and that all of the following parcels be withheld from public and private sale and held for one year for the Minneapolis Community Development Agency: 4515 5th Av. S., 3310 Oliver Av. N., 3208 2nd St. N., 946 1/2 26th Av. N.E., 2226 Irving Av. N.;

That the following parcels which have not already been designated as non-conservation land be designated as such that all of the following parcels be and released for public auction: 1613-15 E. Lake Street, 4003 Fremont Av. N., 3008 Lyndale Av. N., 3034 Lyndale Av. N., 2407 Lyndale Av. N., 2327 Dupont Av. N., 1921 West Broadway, 1600 Golden Valley Rd., 919 Penn Av. N., 506 Newton Av. N., 1833 25 1/2 St. E.; and

That the property located at 2822 Oliver Av. N. be withheld from both public and private sale and conveyed to the MCDA for its fair market value.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-359

By Niland

Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non conservation and the conveyance thereof.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis, that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency.

TAX FORFEITED PROPERTIES TO BE ACQUIRED BY THE MCDA

<u>PIN NUMBER</u>	<u>ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	<u>FORFEIT DATE</u>
02-028-24-24-0018	3237 Elliot Av. S.	Lot 17, Brown and McIntires RGT Block 1 Rees Bairds	
11-029-24-14-0119	715 Lowry Av. N.E.	West 39 feet of Lots 12 and 13 Menange's Supplement to East Side Addition to Minneapolis	6/19/97
12-029-24-22-0112	2747 Central Av. N.E. Non-Target	West 92 feet of Lot 025, Block 004 Menage's Supplement to East Side Addition to Minneapolis	7/24/97
16-029-24-23-0059	2014 West Broadway	Lot 069, Block 019 "Forest Heights"	6/19/97
16-029-24-34-0102	1426 Logan Ave. N.	Lot 15, Block 2 Crepeaus Fourth Addition to Minneapolis	6/19/97
16-029-24-42-0067	1805 Emerson Av. N.	East 89 92/100 feet and the North 20 feet of the East 33 feet of West 65 feet, Lot 9, Block 15 "Gales Subdivisions in Sherburne & Beebe's Addition to Minneapolis	7/24/97
17-029-24-43-0167	1407 Thomas Av. N.	Lot 14, Block 2 "W H Lauderdales Addition to Minneapolis"	7/24/97
20-029-24-14-0076	919 Penn Av. N.	Lot 3, Block 1 "Brodericks' 2nd Addition to Minneapolis"	6/19/97
21-029-24-23-0167	914 Newton Av. N.	Lot 25, Block 22 "Oak Park Addition to Minneapolis"	6/19/97
21-029-24-31-0032	529 Knox Av. N.	Lot 32, Block 4 Maben, White, and LeBron's Addition to Minneapolis Minnesota	6/19/97
03-028-24-41-0128	3521 - 4th Av S		

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be withheld from public and private sale and held for one year for the Minneapolis Community Development Agency.

10-028-24-44-0197	4515 - 5th Av. S.	Lot 27, Block 8 "F.A. Savage's Portland Ave Addition to Minneapolis"	7/24/97
09-029-24-23-0072	3310 Oliver Av. N.	Lot 18, Block 1 Latimer's Addition to Minneapolis	5/22/97
10-029-24-24-0057	3208 - 2nd St. N.	Lot 4, Block 47 "Baker's 4th Addition to Minneapolis"	6/19/97
12-029-24-23-0020	946 ½ - 26th Av. N.E.	West 35 feet of Lot 12 "Deming's Polk Street Rearrangement"	6/19/97
16-029-24-21-0170	2226 Irving Av. N.	Lot 2, Block 13 "Forest Heights"	6/19/97

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for public auction.

02-028-24-11-0134	1613-15 E. Lake Street
04-029-24-13-0068	4003 Fremont Av. N.
10-029-24-32-0011	3008 Lyndale Av. N.
10-029-24-32-0018	3034 Lyndale Av. N.
16-029-24-11-0026	2407 Lyndale Av. N.
16-029-24-11-0160	2327 Dupont Av. N.
16-029-24-23-0101	1921 West Broadway
16-029-24-24-0171	1600 Golden Valley Rd.
20-029-24-14-0076	919 Penn Av. N.
21-029-24-32-0021	506 Newton Av. N.
36-029-24-23-0027	1833 - 25 ½ St. E.

Be It Further Resolved that upon reconveyance by the MCDA of the property located at 2822 Oliver Avenue N. to the County that said property be withheld from both public and private sale and conveyed to the MCDA for its fair market value.

Be It Further Resolved that this matter be referred to the Minneapolis Community Development Agency for authorization to submit an application to the Commissioner of Revenue and the County of Hennepin for the conveyance of said property pursuant to the provisions of Minnesota Statutes 282.01, Subd. 1 and Subd. 1a, as amended by Laws 1990, Chapter 604, Article 3, Section 37.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the reappointment of Donald Risk to the St Anthony Falls Corporation Board of Directors for a 60 month term to expire July 31, 2002, now forwards without recommendation. (Petr No 263262)

Niland moved that the report be amended by deleting the words, now forwards without recommendation, and inserting in lieu thereof, now recommends approval. Seconded.

Adopted by unanimous consent.

The report as amended was adopted.

Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends passage of the accompanying resolution endorsing the nomination of the Mississippi River in the Twin Cities for designation as an American Heritage River. (Petr No 263262)

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-360, entitled "Endorsing the nomination of the Mississippi River in the Twin Cities for designation as an American Heritage River", was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. Designation will bring increased federal support and coordination to accelerate the progress of plans and projects in Minneapolis involving the Mississippi River. The full text of the resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-360

By Niland

Endorsing the nomination of the Mississippi River in the Twin Cities for designation as an American Heritage River.

Whereas, the President of the United States will designate certain rivers as American Heritage Rivers; and

Whereas, the Mississippi River is a major resource in the economic, ecological and recreational life of Minneapolis and the Twin Cities region; and

Whereas, the City of Minneapolis has been involved for the last twenty-five years in revitalization of the Mississippi River as it passes through Minneapolis; and

Whereas, the City has invested, and is continuing to invest, millions of dollars to support river-related economic development, clean polluted land, reduce water pollution, restore the Rivers ecology, protect historic and cultural assets, develop parks and trails, and provide housing near the Riverfront; and

Whereas, the City of Minneapolis is currently updating its plan for a portion of the Central Riverfront and initiating a master implementation plan for the Upper River; and

Whereas, designation of the metropolitan segment of the Mississippi River as an American Heritage River will bring increased federal support and coordination to accelerate the progress of plans and projects in Minneapolis;

Now, Therefore, Be It Resolved that the Minneapolis City Council hereby endorses the nomination of the Twin Cities stretch of the Mississippi River for designation as an American Heritage River.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the proposal of the Metropolitan Economic Development Association (MEDA) that the City issue revenue bonds to finance the acquisition and rehabilitation of an office condominium at 250 2nd Av S, and having conducted a public hearing thereon on November 10, 1997, notice of which was published in Finance and Commerce on October 25, 1997, now recommends passage of the accompanying resolution granting preliminary and final approval to the issuance of up to \$450,000 of Tax Exempt Revenue Bonds, Series 1997 and up to \$200,000 of Taxable Revenue Bonds, Series 1997, for MEDA through the City of Minneapolis. (Petn No 263261)

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-361, entitled "Resolution Authorizing the Issuance and Sale of Industrial Development Revenue Bonds (Metropolitan Economic Development Association), Series 1997 of the City and the Execution of Documents", was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. It gives preliminary and final approval to the issuance of \$400,000 of tax-exempt revenue bonds and \$200,000 of taxable revenue bonds. The full text of

the resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-361
By Niland

Resolution Authorizing the Issuance and Sale of Industrial Development Revenue Bonds (Metropolitan Economic Development Association), Series 1997 of the City and the Execution of Documents.

Whereas, this Council has received a proposal from the Metropolitan Economic Development Association, a Minnesota nonprofit corporation ("MEDA"), that the City of Minneapolis (the "City") finance all or a portion of the cost of a proposed project under Minnesota Statutes, Sections 469.152 through 469.165 (the "Act"), consisting of the acquisition of and the construction of improvements to an approximately 7,700 square foot office condominium unit and the acquisition and installation of items of equipment in such facilities, located at 250 Second Avenue South in the City (the "Project"); and

Whereas, at a public hearing, duly noticed and held on November 10, 1997, in accordance with the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, on the proposal to undertake and finance the Project, all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to undertake and finance the Project and interested persons were given the opportunity to submit written comments to the City Clerk before the time of the hearing; and

Whereas, this Council hereby finds that the issuance and sale of up to \$650,000 aggregate principal amount of the City's Industrial Development Revenue Bonds (Metropolitan Economic Development Association) in two series, up to \$200,000 in taxable bonds and up to \$450,000 in tax exempt bonds (together, the "Bonds") to finance all or a portion of the cost of the Project is in the best interest of the City and the City hereby determines to issue and sell such Bonds; and

Whereas, the Bonds will be issued by the City under the authority contained in the Act; and

Whereas, the proceeds of the Bonds will be lent (the "Loan") by the City to MEDA, in order

to finance all or a portion of the cost of the Project and pay certain costs of issuance of the Bonds; and

Whereas, pursuant to a Loan Agreement (the "Loan Agreement"), to be entered into between the City and MEDA, a copy of which has been presented to the Council at this meeting and which has been reviewed to the extent deemed necessary, the City will lend the proceeds of the Bonds to MEDA and MEDA will unconditionally agree to repay the Loan made by the City under the Loan Agreement in specified amounts and at specified times sufficient to make the necessary payments of principal of, premium, if any, and interest on the Bonds, when due. In addition, the Loan Agreement contains provisions relating to the payment by MEDA of administrative costs of the Bond Trustee (as hereinafter defined), indemnification, insurance and other agreements and covenants which are required by the Act or which are permitted by the Act and which the City and MEDA deem necessary or desirable for the sale of the Bonds; and

Whereas, pursuant to an Indenture of Trust (the "Indenture") to be entered into between the City and a trustee (the "Bond Trustee"), a copy of which has been presented to the Council at this meeting and which has been reviewed to the extent deemed necessary, the City assigns and pledges all of its right, title and interest in the Loan Agreement (other than the right of the City for indemnification and administrative expenses) to the Bond Trustee. In addition, the Indenture, among other things, sets the interest rates, maturity dates and redemption provisions for the Bonds, establishes the various funds and accounts for the deposit and transfer of money and contains other provisions which are required by the Act or which are permitted by the Act and which the City and MEDA deem necessary or desirable in connection with the sale of the Bonds; and

Whereas, pursuant to a Mortgage Agreement (the "Mortgage") to be entered into between MEDA and the City, a copy of which has been presented to the Council at this meeting and which has been reviewed to the extent deemed necessary, MEDA will grant to the City a mortgage lien on the Project as security for the payment of the Bonds. Pursuant to an Assignment of Mortgage (the "Assignment"), the City will assign its interest in the Mortgage to the Bond Trustee for the benefit of the holders of the Bonds; and

Whereas, pursuant to the terms of an Administrative Fee Agreement (the "Fee Agreement") to be entered into between the City

and MEDA, a copy of which has been presented to the Council at this meeting and which has been reviewed to the extent deemed necessary, MEDA will pay the City an administrative fee in connection with the issuance of the Bonds; and

Whereas, the Bonds will be special limited obligations of the City payable solely from amounts payable by MEDA under the Loan Agreement, other than to the extent payable from the proceeds of the Bonds. The Bonds shall not be payable from or charged upon any funds other than the revenue pledged to the payment thereof, nor shall the City be subject to any liability thereon. No holder or holders of any Bond shall ever have the right to compel any exercise of the taxing power of the City to pay any such Bond or the interest thereon, nor to enforce payment thereof against any property of the City. The Bonds shall not constitute a debt of the City within the meaning of any charter, constitutional or statutory limitation; and

Whereas, the Bonds will be privately placed by FBS Investment Services, Inc.;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That, in order to provide for the financing of all or a portion of the costs of the Project, the City hereby authorizes the issuance of the Bonds in two series as revenue bonds under the Act, to be designated "City of Minneapolis, Minnesota, Industrial Development Revenue Bonds (Metropolitan Economic Development Association), Series 1997" in the aggregate principal amount of up to \$650,000. The Mayor, the City Clerk and the City Finance Officer are hereby authorized to approve the purchase price of the Bonds, provided that the purchase price equals or exceeds 98% of the principal amount of the Bonds less any portion of such principal amount which represents original issue discount; the principal amount of the Bonds, provided that such principal amount is not in excess of \$650,000; the maturity schedule of the Bonds, provided that the Bonds mature at any time or times in such amount or amounts not exceeding 30 years from the date of issuance thereof; the provisions for prepayment and redemption of the Bonds prior to their stated maturity; and the interest rates of the Bonds, provided that no interest rate exceeds 8.00% per annum. Such approval shall be conclusively evidenced by the execution of the Loan Agreement and the Indenture as provided herein. In the event the Bonds are not issued until 1998, the reference to "1997" in the series designation of the Bonds

may be changed to "1998" without further action of this Council and such change shall not affect the approvals contained herein; and

Be It Further Resolved that each Bond shall be executed on behalf of the City by the manual or facsimile signatures of the Mayor, the City Clerk and City Finance Officer, and its corporate seal (which may be in facsimile) shall be thereunto affixed, imprinted or engraved. The Bond Trustee is hereby designated as authenticating agent pursuant to Minnesota Statutes, Section 475.55. If any of the officers who shall have signed or sealed any of the Bonds shall cease to be such officers of the City before the Bonds so signed and sealed shall have been actually authenticated by the Trustee or delivered by the City, such Bonds nevertheless may be authenticated, issued and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer or officers of the City; and

Be It Further Resolved that the Indenture, the Loan Agreement, the Mortgage, the Assignment and the Administrative Fee Agreement are hereby made a part of this Resolution as fully as though set forth in full herein and are hereby approved in the form submitted to this meeting, and the Mayor, City Clerk and City Finance Officer are hereby authorized and directed to execute, acknowledge and deliver the Indenture, the Loan Agreement, the Mortgage, the Assignment and the Administrative Fee Agreement on behalf of the City with such changes, insertions and omissions therein as do not change the substance of the Indenture, the Loan Agreement, the Mortgage, the Assignment or the Administrative Fee Agreement and as may be approved by the Mayor, City Clerk and City Finance Officer, such approval to be evidenced conclusively by their execution of the Indenture, the Loan Agreement and the Administrative Fee Agreement; and

Be It Further Resolved that each prospective investor which advises MEDA or the Placement Agent that it desires to purchase a portion or all of the Bonds will be asked to execute and return an investment letter stating in substance, among other things, that the prospective investor (i) has had the full opportunity to make, and has made, such investigation and evaluation as it considers appropriate of the financial position and business condition of MEDA and of the project to be financed with the proceeds of the Bonds, and of the security for the Bonds, and has received all information which it considers necessary in order

to evaluate the purchase of the Bonds, and (ii) is purchasing the Bonds for its own account for investment and not with a view to, or for sale in connection with, the distribution of all or any part of the Bonds; and

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Program" all as defined in Resolution 88R-021 of the City adopted January 29, 1988; and

Be It Further Resolved that the Mayor, the City Clerk, the City Finance Officer and all other officers of the City are hereby authorized and directed to execute and deliver all other documents which may be required under the terms of the Indenture, the Loan Agreement, the Mortgage, the Assignment or the Administrative Fee Agreement and to take such other action as may be required or appropriate for the performance of the duties imposed thereby or to carry out the purposes thereof; and

Be It Further Resolved that in the absence or disability of the Mayor, the City Clerk, the City Finance Officer or any other officer of the City named in any instrument to be executed on behalf of the City in connection with the issuance of the Bonds, the acting Mayor, Assistant City Clerk, Deputy Finance Officer or other officer may execute such instrument. The execution of any instrument by an officer of the City shall be conclusive evidence of its approval; and

Be It Further Resolved that the City Finance Officer is hereby designated for all purposes of the Loan Agreement and the Indenture as the City official authorized to execute on behalf of the City certificates, requests or consents as provided in the Loan Agreement and the Indenture.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the division of the lot at 2405 24th Av N, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels. (Petn No 263262)

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-362

By Niland

Approving the subdivision of a lot at 2405-24th Avenue North.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 2405-24th Avenue North and legally described as:

Lot 5, Waltons North Side Addition to Minneapolis.
be subdivided as follows:

125-35A: That part of Lot 5 which lies Easterly of a line running from a point on the north line thereof distant 21.15 feet West of the Northeast corner thereof to a point on the South line of said Lot 5, distant 15.24 feet West of the southeast corner thereof, all in Waltons North Side Addition to Minneapolis; and

125-35B: That part of Lot 5 which lies Westerly of a line running from a point on the North line thereof distant 21.15 feet West of the Northeast corner thereof to a point on the South line of said Lot 5, distant 15.24 feet West of the Southeast corner thereof, all in Waltons North Side Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent properties legally described as:

125-35A: Lot 4, Waltons North Side Addition to Minneapolis; and

125-35B: Lot 6, Waltons North Side Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on October 30, 1997, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA on November 10, 1997, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the proposed Nicollet-Franklin Redevelopment Project set forth in Petn No 263265, now recommends that the Executive Director of the Minneapolis Community Development Agency (MCDA) be authorized to direct MCDA staff to:

1. Prepare redevelopment contracts with HealthSystem Minnesota and the Franklin Bank, based on said proposed Project as set forth in Petn No 263265; and

2. Draft documents which would permit creation of a tax increment district surrounding the Project to facilitate financing the Project.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your Committee recommends passage of the accompanying resolution increasing the Neighborhood Development Account Fund (FNA) appropriation by \$250,000 from current projected fund balance to meet increased demand for loans in the 2% Revolving Loan Fund. (Petr No 263266)

RESOLUTION 97R-363
By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA-Development Account Fund by \$250,000 from current projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your Committee, having under consideration the proposal of Laurel Village Partners to modify the Laurel Village Projects ownership structure and create a larger and financially stronger investment entity, now recommends passage of the accompanying resolution increasing the Laurel Village Fund (CBU) by \$18,000 to pay for legal and other related costs, from current projected fund balance. (Petr No 263266)

RESOLUTION 97R-364
By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CBU-Laurel Village by \$18,000 from current projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin Countys second 7.5% NRP funds to support design, printing and distribution costs for the

Seward Community Resource Directory, as set forth in Petn No 263267, now recommends:

1. Approval of said use of Hennepin County's second 7.5% NRP funds;
 2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$5,000;
 3. That the proper City officers be authorized to execute any agreements needed to implement this action; and
 4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.
- Adopted. Yeas, 12; Nays, none.
Absent - Herron.
Passed November 21, 1997.
Approved November 26, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-365
By Niland and Campbell

Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$5,000 from projected fund balance.

- Adopted. Yeas, 12; Nays, none.
Absent - Herron.
Passed November 21, 1997. J. Cherryhomes,
President of Council.
Approved November 26, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your Committee, having under consideration the demolition of Grain Elevators No 2 and 3 at 10th Av and 2nd St S (Petn No 263266), now recommends that a total of \$2,055,867 of MILES funds, comprised of the remaining 1997 MILES Program balance of \$865,867 and the requested 1998 MILES Program balance of \$1,190,000, be allocated for said demolition.

Your Committee further recommends passage of the accompanying resolution:

- a. increasing the 1997 Industry Square Fund (CBG) by \$2,055,867 from available fund balances;
- b. increasing the 1997 Tax Increment Administration Fund (CAD) by \$60,919 and increasing the Fund (CAD) revenue (3845-01 Transfer within Capital Funds) by \$60,919; and
- c. decreasing the Development Account Fund (SDA) 1997 revenue estimate (3840-01 Transfer from Capital Funds) by \$1,040,000.

Your Committee further recommends that the Executive Director of the Minneapolis Community Development Agency be authorized to direct MCDA staff to:

1. proceed expeditiously with said demolition; and
2. make an effort to reimburse the MILES fund as much as possible when evaluating tax revenues and other revenue sources for 1998 so that job creation activities can continue.

Adopted. Yeas, 12; Nays, none.
Absent - Herron.
Passed November 21, 1997.
Approved November 26, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-366
By Niland and Campbell

Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

- a. increasing the 1997 appropriation in Fund CBG-Industry Square Fund by \$2,055,867 from available fund balance;
- b. increasing the 1997 appropriation in Fund CAD-Tax Increment Administration Fund by \$60,919 and increasing the Fund CAD revenue (3845-01 Transfer within Capital Funds) by \$60,919; and
- c. decreasing the Fund SDA-Development Account 1997 revenue estimate (3840-01 Transfer from Capital Funds) by \$1,040,000.

Adopted. Yeas, 12; Nays, none.
Absent - Herron.
Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your
Committee, having under consideration the
proposed NorthStar Woolen Mill/Utility Building
Project, now recommends:

1. That the business terms of the
redevelopment contract with Brighton Development
for the Project, as set forth in Petn No 263265, be
approved;

2. That a Project Budget for tax increment
eligible costs for historic restoration of the
NorthStar Woolen Mill/Washburn Crosby complex
and related land in the amount of up to \$6,500,000
be approved;

3. That, upon approval of said business terms,
the Executive Director of the Minneapolis
Community Development Agency (MCDA) be
authorized to direct staff to draft documents
permitting the creation of a new Tax Increment
District; and

4. That staff present options for Leveraged
Investment funding to the Community
Development and Ways & Means/Budget
Committees.

5. That staff be directed not to pursue
unencumbered funding until Leveraged Investment
funding options have been reviewed.

6. That this action be transmitted to the Board
of Commissioners of the MCDA.

Campbell moved that the related MCDA
report on the NorthStar Project be amended by
removing all references to CDBG. Seconded.

Adopted upon a voice vote.

The report was adopted.

Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your
Committee, having under consideration the
Creamette Housing Project at 428 1st St N, and
having conducted a public hearing on Modification
No 52 to the Common Development and
Redevelopment Plan and Common Tax Increment
Finance Plan, Modifications No 14 and 15 to the
North Loop Redevelopment Plan, and the
Creamette Tax Increment Finance Plan set forth in
Petn No 263264, which documents authorize public

redevelopment activity in said Project, now
recommends:

1. Approval of a pay-as-you-go Tax Increment
Note to Creamette Housing Limited Partnership in
an amount not to exceed \$750,000, based on the
proposed business terms set forth in Petn No
263264);

2. Passage of the accompanying resolution
approving said Modifications and Tax Increment
Finance Plan; and

3. Referral of this action to the Board of
Commissioners of the Minneapolis Community
Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-367

By Niland and Campbell

**Adopting Modification No 14 to the North
Loop Urban Renewal Plan in order to remove
parcels from the existing North Loop Tax
Increment Financing district; and adopting
Modification No 15 to the North Loop Urban
Renewal Plan, Modification No 52 to the
Common Development and Redevelopment Plan
and Common Tax Increment Finance Plan, and
the Creamette Tax Increment Finance Plan in
order to designate property that may be
acquired, authorize public redevelopment
activities and expenditures to assist the
Creamette Housing Project, and establish a new
redevelopment tax increment financing district.**

Resolved By The City Council of the City of
Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980,
Chapter 595, as amended, and the Minneapolis
Code of Ordinances, Chapter 422, as amended (the
Agency Laws) the Housing and Redevelopment
Authority in and for the City of Minneapolis has
been reorganized, granted additional powers, and
designated the Minneapolis Community
Development Agency (the Agency) with the
authority to propose and implement city
development districts, redevelopment projects and
tax increment financing districts, all pursuant to
Minnesota Statutes, Sections 469.001 through
469.047, and 469.174 through 469.179 as

amended; and Laws of Minnesota 1971, Chapter 677 (the Project Laws).

1.2. By Resolution duly adopted on August 31, 1973 and subsequent resolutions, the City approved the creation of the North Loop Redevelopment Project and the adoption of the North Loop Redevelopment Plan, as modified. The North Loop Redevelopment Project is included within the Common Project Area.

1.3. That by Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis has approved the creation by the Minneapolis Community Development Agency of the Common Development and Redevelopment Project (the Common Project Area) and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Financing Plan (the Common Plans) relating thereto, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.4. It has been proposed that the Agency modify the North Loop Redevelopment Plan to remove two parcels from its existing tax increment finance district and further modify the North Loop Redevelopment Plan and the Common Plans to authorize public redevelopment activity to assist the Creamette Housing Project, and provide the legal authority for the creation of a new redevelopment tax increment financing district, and to reflect the identification of additional property that may be acquired and increased project costs, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended.

1.5. The Agency has prepared, and this Council has investigated the facts with respect to a proposed Modification No 14 and 15 to the North Loop Urban Renewal Plan, Modification No 52 to the Common Plan, and the Creamette Tax Increment Finance Plan (together, the Plans), describing more precisely the activities to be undertaken, public costs, the designation of property that may be acquired, and the identification of a budget for expenditures, authorization to establish a new tax increment financing district for this project, and modification of the North Loop Redevelopment Project and Common Plans to authorize public redevelopment activities and expenditures necessary to assist this

project. Anticipated public redevelopment activities include site acquisition, demolition, pollution remediation, rehabilitation of an historic building, public improvements and administrative costs within the Common Project Area, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.6. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Plans.

2.1. The Council hereby finds, determines and declares that Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the Common Project Area and TIF District by private enterprise as the proposed development or redevelopment eliminates the blighting influences of vacant, obsolete, blighted, and deteriorating substandard structures requiring substantial renovation or clearance, and exhibiting deficiencies in other categories, facilitates clean up of a polluted site, and redevelops the area by combining the construction of new housing units and rehabilitation of an historic structure on the property lying within the boundaries of the TIF District.

2.2. The Council further finds, determines and declares that Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued on November 5, 1997, are incorporated herein by reference, and are on file in the office of the City Clerk as Petition No 263264.

2.3. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax

increment financing is deemed necessary, as the land in the project area would not be made available for redevelopment without the financial aid to be sought. Further, the private redevelopment of the property included in the TIF District could not occur without public participation and financial assistance, due to the high cost of property acquisition, pollution cleanup, and site preparation, including demolition, for the existing blighted properties considering the impact of these costs upon the feasibility of new private development or rehabilitation. Therefore, additional public subsidy is necessary and will be paid for with other public grants and funding sources; and the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plans.

2.4. The Council further finds, determines and declares that the property to be included in the TIF District consists of property that qualifies for inclusion in a redevelopment district and is blighted and the buildings are substandard, as defined in Minnesota Statutes, Section 469.002, Subdivision 11 and Section 469.174, Subdivision 10; that the tax increment financing district to be established meets the criteria of a Redevelopment District as defined therein, based upon detailed and documented parcel-by-parcel interior and external inspections of the properties to be included in the TIF District; and that the reasons and supporting facts for these determinations are retained and available from the Agency.

2.5. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and Sections 469.174 through 469.179, as amended.

2.6. The Council further finds, determines and declares that the municipality elects to make the qualifying local contribution to project costs required pursuant to Minnesota Statutes, Section 273.1399, thereby exempting the City from the State Aid Offset (LGA/HACA penalty) on the TIF District.

2.7. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve Modification Nos 14 and 15 to the North Loop Urban Renewal

Plan, Modification No 52 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, and the Creamette Tax Increment Finance Plan.

Section 3. Approval of the Plans.

3.1. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date, are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.1. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your Committee, having under consideration the proposal of Rafowitz Enterprises to expand its Northern Cap Manufacturing facility onto the landlocked parcel behind 2633 Minnehaha Av S (Petr No 263265), now recommends:

1. That \$413,440 of MILES Program Set-aside funds be allocated to the Rafowitz Enterprises Project; and

2. Passage of the accompanying resolution:
a. increasing the Seward South Fund (CBH) appropriation by \$448,000, reflecting land sale proceeds and soil correction escrow, from current projected fund balance; and

b. increasing the Tax Increment Administration Fund (CAD) appropriation by \$13,440 from projected fund balance.

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-368

By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a. increasing the appropriation in Fund CBH-Seward South by \$448,000 from current projected fund balance; and

b. increasing the appropriation in Fund CAD-Tax Increment Administration by \$13,440 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the 1998 Neighborhood Revitalization Program Administrative Budget in the total amount of \$1,998,896 as set forth in Attachment A in Petn No 263267 (1998 NRP Admin Budget) now recommends:

1. Approval of the 1998 NRP Admin Budget;
2. Passage of the accompanying resolution increasing the 1998 NRP Program Fund (CNR) by \$1,998,896;

3. Request that the Minneapolis Community Development Agency (MCDA) transfer \$1,998,896 to the NRPs City of Minneapolis Fund 230;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the 1998 NRP Admin Budget Attachment A; and

5. Referral of this action to the Board of Commissioners of the MCDA for authorization of MCDA officers to transfer appropriated funds to City of Minneapolis Fund 230.

Niland moved that the report be amended by adding a paragraph at the end thereof, as follows:

6. The City Council requests that as part of the upcoming evaluation of the NRP process, that the evaluation include surveying neighborhoods on

their experiences with both the NRP director and NRP staff during the planning and implementation process. Seconded.

Adopted upon a voice vote.

The report as amended was adopted.

Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-369

By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$1,998,896, from projected fund balance.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee recommends that the proper City officers be authorized to execute Amendment #4 to Contract #8666 with North State Advisers & Associates to provide professional advice and lobbying services relating to property taxes, tax increment financing, pollution, housing and related issues, for the period from January 1, 1998 through December 31, 1998, in an amount not to exceed \$42,000, payable from the General Fund Intergovernmental Relations Agency (010-841-8410).

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas - McDonald, Minn, Scott, Rainville, Dziedzic, Thurber, Campbell, Biernat, Cherryhomes.

Nays - Niland, Mead.

Absent - Schulstad, Herron.

Passed November 21, 1997.
Approved November 26, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

IGR - Your Committee recommends that the proper City officers be authorized to execute Amendment #2 to Contract #10107 with McGrann Shea Franzen Carnival Straughn & Lamb, Chartered, for consultant and lobbying services relating to completion of the Minneapolis Convention Center, for the period from January 1, 1998 through December 31, 1998, in an amount not to exceed \$45,000, payable from the Convention Center Related Fund Convention Center Operations Agency (076-865-866A).

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas - McDonald, Minn, Scott, Rainville, Dziedzic, Thurber, Campbell, Biernat, Cherryhomes.

Nays - Niland, Mead.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Club Ashe Partners, LLP, dba Club Ashe, 322 First Av N, Suite 100, new business, for a Special Late Night Entertainment License and an On-Sale Liquor Class B w/Sunday Sales License to expire July 1, 1998, and having held a public hearing thereon, now recommends that said On-Sale Liquor Class B License be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances and that said Special Late Night Entertainment License be postponed for a period of six months to enable the City to evaluate Class B compliance before issuing the Special Night Entertainment License.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Local, LLC, dba

Local-An Epicurean Cafe & Pub, 84 S 10th St, new business, for a Sidewalk Cafe Permit, a Special Late Night Entertainment License and an On-Sale Liquor Class C-1 with Sunday Sales License to expire July 1, 1998, and having held a public hearing thereon, now recommends that said On-Sale Liquor Class C-1 License and said permit be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances and that said Special Late Night Entertainment License be postponed for a period of six months to enable the City to evaluate Class C-1 compliance before issuing the Special Late Night Entertainment License.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 21, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 25, 1997)

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire January 1, 1999

Mall Liquors, Inc, dba Mall Liquors, 46 S 6th St;

Haskells, Inc, dba Haskells, 81 S 9th St;
2538 Central Corporation, dba Central Av Liquors, 2538 Central Av NE;

Off-Sale Liquor, to expire October 1, 1998

Ken & Norms Liquors, Inc, dba Ken & Norms Liquors, 4801 Chicago Av;

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 1999

Rooftop, Inc, 700 Nicollet Mall, Basement, 2nd, 8th and 12th floors;

Ampa, Inc, dba YAll Come Back Saloon, 830 Hennepin Av;

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 1998

Minneapolis Branch American Association of University Women, 2115 Stevens Av, change from Series 4000;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998

International Catering, Inc, dba Atrium Cafe, 275 Market St, for temporary expansion of premises for HSN Entertainment, 11/1/97, 7:30PM-1AM;

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 1998

Lymar, Inc, dba Lyons Pub, 16 S 6th St,
internal transfer of shares;

Lymar, Inc, dba Lyons Pub, 16 S 6th St, new
shareholder;

**On-Sale Liquor Class B with Sunday Sales,
to expire January 1, 1999**

Baz, Inc, A Minnesota Corporation, dba
Champps, 100 N 6th St (includes Class B Outdoor
Entertainment);

Dream Enterprises, Inc, dba Roadhouse, 1107-
1111 Washington Av S;

**On-Sale Liquor Class B with Sunday Sales
to expire July 1, 1998**

Club Ashe Partners LLP, dba Club Ashe, 322
1st Av N, Suite 100, new business;

**On-Sale Liquor Class C-1, with Sunday
Sales, to expire July 1, 1998**

Local LLC, dba Local-An Epicurean Cafe and
Pub, 84 S 10th St, new business;

**On-Sale Liquor Class C-2, with Sunday
Sales, to expire January 1, 1999**

Aster Pictures Corporation, dba Aster, 125
Main St SE;

Brass Rail on Hennepin, Inc, dba Brass Rail,
422 Hennepin Av;

Historic Theatre Group, Ltd, dba Historic
Orpheum Theatre, 910 Hennepin Av;

**On-Sale Liquor Class E with Sunday Sales,
to expire January 1, 1999**

Two Wiseguys, Inc, dba Origami Restaurant,
30 N 1st St, 1st Floor;

Brinda Companies, Inc, dba Pracna On Main,
117 Main St SE;

Bigsby Enterprises, Ltd, dba Bigsbys Cafe, 701
4th Av S;

Park & Lee, Inc, dba Robert Lee Restaurant,
1346 LaSalle Av;

M& E Restaurant Corporation, dba Pings
Szechuan Bar & Grill, 1401 Nicollet Av;

Bottle Club, to expire March 31, 1998

Latvian House, Inc, dba Latvian House, 2337
Central Av NE;

Vincent L. Giantvalley Post #234, dba
American Legion Department of Minnesota, 3751
Minnehaha Av;

**On-Sale Wine Class A with Strong Beer, to
expire April 1, 1998**

Anderson Restaurant Corporation, dba Dulonos
Pizza, 607 W Lake St, change in ownership from
Dulonoz Pizza, Inc;

Vannandys Restaurant & Nightclub, Inc, dba
Vannandys Restaurant & Nightclub, 3003 27th Av
S; and

**Bottle Club On-Sale Beer Class E, to expire
April 1, 1998**

Vincent L. Giantvalley Post #234, dba
American Legion, 3751 Minnehaha Av.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends
granting the following applications for business
licenses as per list on file and of record in the
Office of the City Clerk under date of November
21, 1997, subject to final inspection and
compliance with all provisions of the applicable
codes and ordinances (Petn No 263273):

Amusement Devices; Manufacturing of
Asphalt Shingles & Roof Material; Bed &
Breakfast Facility; Building Contractor Class A;
Building Contractor Class B; Cement Finisher;
Contractor/Masonry Class A; Christmas Tree;
Concrete Block Manufacturer; Dry-Wall
Contractor; Place of Entertainment; Special Late
Night Entertainment; Fire Extinguisher Class A;
Caterers; Grocery; Food Manufacturer;
Restaurant; Gas Fitter Class A; Gasoline Filling
Station; Hospital; Musical Juke Box; Lodging
House; Lodging with Boarding House; Motor
Vehicle Repair Garage; Motor Vehicle Repair
Garage with Access Use; Motor Vehicle Servicing
Class B (Towing); Pawnbroker Class A;
Pawnbroker Class B; Pet Shop; Plasterer;
Plumber; Precious Metal Dealer; Second-Hand
Goods Dealer; Multiple Second-Hand Goods
Dealer; Suntanning Facilities; Taxicab Vehicle;
Theater-Zone I; Tobacco Dealers; and Wrecker of
Buildings Class A.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends
granting the following applications for gambling
licenses, subject to final inspection and compliance
with all provisions of the applicable codes and
ordinances:

Gambling-Lawful Class A

Southwest Hockey Association, Inc, 1921 W

Franklin Av, site: American Legion Post #1, 2532 25th Av S;

Gambling-Lawful Class B

De La Salle High School, 1 De La Salle Drive, site: Broadway Pizza, 2025 W River Rd;

De La Salle High School, 1 De La Salle Drive, site: Haleks Bar, 2024 Washington Av N;

De La Salle High School, 1 De La Salle Drive, site: Macs Sports Bar, 301 Central Av SE;

Southwest Hockey Association, Inc, 1921 W Franklin Av, site: Sunnys Restaurant, 2940 Chicago Av;

Gambling Lawful Exempt

Goldbrick Club, 1811 University NE, raffle at Jax Restaurant, 1928 University NE, 2/16/98; and

Church of St. Boniface, 629 NE 2nd St, raffle, paddlewheel, pulltabs at St. Boniface Church, 11/25/97.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of GMN, Inc, dba Blue & White, 1304 E Lake St, for the following Person to Person Transfers of Taxicab Vehicle Licenses, now recommends that transfer of said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

a) Mohammed Eshmawy, Cab #144;

b) Mohammed Eshmawy, Cab #156;

c) Mohammed Eshmawy and M. Abdel-Karem, Cab #163;

d) Mohammed Eshmawy and Amina Eshmawy, Cab #178;

e) Mohammed Eshmawy, Cab #195;

f) Mohammed Eshmawy, Cab #205;

g) Mohammed Eshmawy and Amina Eshmawy, Cab #215; and

h) Mohammed Eshmawy, Cab #222.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Lyamar, Inc, dba Lyons Pub, 16 S 6th St, for an On-Sale Liquor

Class B with Sunday Sales License to expire January 1, 1998, for an internal transfer of shares and new shareholder(s), now recommends that said transfer, shareholder(s) and license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 21, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 25, 1997)

PS&RS - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #8986 with Clifton Properties to provide leased office space at 314 Clifton Av for the Police Employee Assistance Program (PEAP), for the period from February 1, 1998 through January 31, 2001, in the amount of \$1,000 per month for the the first year, \$1,100 per month for the second year and \$1,200 per month for the third year, for a 3-year contract total of \$39,600, payable from the General Fund-Police Department Agency-PEAP (010-400-B125).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #11036 with Rebehn & Associates, Inc, to provide counseling services to employees, as part of the Police Employee Assistance Program (PEAP), for the period from January 1, 1998 through December 31, 1998, in the amount of \$29,000, payable from the General Fund - Police Department Agency - PEAP (010-400-B125).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 17, 1998)

PS&RS - Your Committee recommends that the proper City officers be authorized to execute a contract with the Child Abuse Evaluation Center (Cornerhouse) to provide evaluation of abuse

victims, for the period from January 1, 1998 through December 31, 1999, in the amount of \$190,000, payable from the General Fund - Police Department Agency - Child Abuse (01-400-C107), to be paid by January 31 of each year, in two annual installments of \$95,000 each.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Kenath and Donna Stein for the property located at 2012 Oakland Av S, and having received verification that said property is now in compliance with rental licensing standards, now recommends approval for reinstatement of said license.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehab of said properties is not feasible, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

a) 2001-2003 21st Av N, Lots 1 & 2, Block 25, Forest Heights Addition; and

b) 2922 Lyndale Av N, N 50, including part of Lyndale Av vacated, Lot 12, Block 26, Morrisons Addition to N Minneapolis.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit 3 grant applications to the Minnesota Office of the Attorney General for additional 1997-1999 Minnesota Weed and Seed funding for Central, Phillips and Northside sites, with the understanding that additional Minnesota Weed and Seed funding is available, at an estimated amount of \$250,000.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends approval to solicit funds and/or goods and services, to assist in hosting the Southern Police Institute Alumni Association Retraining Conference to be held in the year 2000, with solicitations to include, but not be limited to training, transportation and assistance with receptions and banquets.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of registration fees for the Demystifying Palm Print Symposium, as partial reimbursement for said symposium which was held October 15, 1997 through October 17, 1997, in the amount of \$275 per person, for a total of \$1,925.

Your Committee further recommends passage of the accompanying Resolution increasing the Police Department Appropriation by \$1,925.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-370
By Biernat and Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the General Fund (010-400-B111) by \$1,925 and increasing the Police Department Agency revenue estimate in the General Fund (010-400-B111-Source 3455) by \$1,925.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying Resolution which accepts the offer of the Hans Rosacker Company to grant the City a new alley easement in exchange for the fee title conveyance of an adjacent vacated alley and for the dedication of new r/w in McKinley St NE, contingent upon approval by the Planning Commission.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-371
By Dziedzic

Authorizing the conveyance of City right-of-way to the Hans Rosacker Company and acceptance of new alley and street easements.

Whereas, the Hans Rosacker Company has offered the City just compensation for the conveyance of vacated City right-of-way, and

Whereas, the City has no need to retain the vacated right-of-way, and

Whereas, it is in the best interest to the taxpayers of the City to grant such conveyance in exchange for a new alley easement, and

Whereas, there is a need to create a cul-de-sac in the remaining portion of McKinley St NE as the result of vacating the Sly portion of the street;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City hereby accepts the offer of the Hans Rosacker Company to exchange fee title of the following described City alley in consideration for the granting of a 20 ft wide alley easement.

Property to be Conveyed

The Sly 14 ft of Lot 10, Pleasant Heights Addn to Minneapolis, Hennepin County, Minnesota, together with that portion of Lot 10 described as follows:

Commencing at a point 16 ft from the NW corner of said lot, thence S along the Wly line of said lot 10 ft, thence E at right angles 10 ft, thence NWly to point of beginning.

New Alley Easement

Easement for alley purposes over that part of Lot 10, Pleasant Heights Addn to Minneapolis, Hennepin County, Minnesota, lying N of the S 14.00 ft and lying Sly of a line described as follows: Beginning at the NW corner of laid lot; thence S 45 degrees 03 minutes 53 seconds E., 5.66 ft, the W line of said lot has an assumed bearing of N 0 degrees 05 minutes 25 seconds W; thence N 89 degrees 57 minutes 40 seconds E to the E line of said lot and there terminating.

Further, that the City hereby accepts the offer of the Hans Rosacker Company to grant additional r/w to create a cul-de-sac in McKinley St NE necessitated by the vacation of the Sly portion of McKinley St NE.

New Street Easement

An easement for street purposes over that part of Lots 20, 21 and 22, Block 2, Roland Park, Minneapolis and Lots 9, 10 and 21, Pleasant Heights Addn to Minneapolis, all in Hennepin County, Minnesota lying within the circumference of a circle having a radius of 45.00 ft. The center of said circle is a point on the centerline of McKinley St NE distant 209.52 ft Nly of the intersection of said centerline and the N right-of-way line of 18th Av NE.

Be It Further Resolved that the City authorizes the proper City officials to execute the necessary documents to accomplish the conveyance of this parcel and accept the new alley and street easements being granted.

Be It Further Resolved that the City finds that pursuant to Minnesota Statute 462.356, Subd. 2, the sale of this property has no relationship with the City Comprehensive Plan.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends
passage of the accompanying Resolution adopting
the special assessments, levying the special
assessments and adopting the assessment roll for
the street improvements adjacent to The Quarry
Project, Special Street Acquisition and
Improvement No 2934.

Your Committee further recommends
summary publication of the above-described
Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-372, adopting the special
assessments, levying the special assessments and
adopting the assessment roll for the street
improvements adjacent to The Quarry Project,
Special Street Acquisition and Improvement No
2934, was passed November 21, 1997 by the City
Council and approved November 26, 1997 by the
Mayor. A complete copy of this resolution is
available for public inspection in the office of the
City Clerk.

The following is the complete text of the
unpublished summarized resolution.

RESOLUTION 97R-372

By Dziedzic

**SPECIAL STREET ACQUISITION AND
IMPROVEMENT NO 2934**

**Adopting the special assessments, levying
the special assessments and adopting the
assessment roll for the street improvements
adjacent to "The Quarry Project".**

Whereas, the City Council on October 24,
1997 passed a Transportation and Public Works
and Ways and Means/Budget Committee Report
accepting a petition from Ryan Companies US Inc
for certain properties owned by said Ryan
Companies US Inc to be specially assessed

\$260,000 for a portion of the costs of improving
streets adjacent to "The Quarry Project" (which is
generally bounded by 18th Av NE, New Brighton
Blvd, I-35W and Johnson St NE and is also
referred to as the "Johnson St NE and 18th Av NE
Project" and the "Northeast Retail Area Project");
and

Whereas, a public hearing was held on
November 13, 1997 in accordance with Chapter
10, Section 8 of the Minneapolis City Charter and
Section 24.180 of the Minneapolis Code of
Ordinances to consider the proposed special
assessments as shown on the proposed assessment
roll on file in the Office of the City Clerk and to
consider all written and oral objections and
statements regarding this matter;

Now, Therefore, Be It Resolved by The City
Council of The City of Minneapolis:

That the proposed special assessments against
the benefited properties described in the petition
in the total amount of \$260,000 and as shown on the
proposed assessment roll on file in the Office of
the City Clerk be and hereby are adopted and
levied.

Be It Further Resolved that the special
assessments be collected in ten (10) successive
equal annual principal installments beginning on
the 1998 real estate tax statements with interest
charged at the rate of 5.4%.

Be It Further Resolved that the assessment roll
as prepared by the City Engineer be and hereby is
adopted and that the City Clerk is hereby directed
to transmit a certified copy of said assessment roll
to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having conducted
preliminary soil and environmental investigation
for the upcoming City project of realigning 21st Av
S betw E 28th & 29th Sts, along with an alley
between 21st and 20th Avs S, and having
discovered contamination in the project area which
would require special consideration, now
recommends that the proper City Officers be
authorized to enter the Minnesota Pollution Control
Agency's Voluntary Investigation and Cleanup
Program and the Minnesota Department of
Agriculture's Voluntary Cleanup Technical

Assistance Program in order to be able to commence construction of said realigned 21st Av S in April 1998.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Central Neighborhood Landscaping Project designated as State Project No 2782-969 (T.H. 35W = 394) which provides for landscaping along 2nd Av S betw E 31st & 32nd Sts adjacent to I-35W, now recommends that the proper City Officers be authorized to execute a Landscape Partnership Permit and Agreement (No 76225) with the Minnesota Department of Transportation (MnDOT) setting forth the responsibilities for said landscaping, to include the following:

a. the Department of Public Works shall purchase planting materials, estimated at \$8,500, which will be reimbursed by MnDOT;

b. the planting materials will be planted by neighborhood volunteers, who will also be responsible for occasional watering.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your committee, having under consideration the construction of Hiawatha Av between I-94 and E 32nd St, now recommends that the proper City Officers be authorized to execute Joint Property Acquisition Agreement No 76572 with the Minnesota Department of Transportation for the required land acquisition from the Hi-Lake Shopping Center (Parcel 218) and Target Stores (Parcel 264) for the reconstruction of Lake Street between 21st & 27th Avs S in order to accommodate the widening of Lake St at Hiawatha Av. The City's cost participation in the acquisition of said parcels, estimated at \$75,000, shall be paid from Municipal State Aid funds programmed in the 1998-2002 Capital Program.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution reducing special assessments, levying reduced special assessments and adopting the assessment roll for the reconstruction of the N-S alley in the block betw 30th and Nokomis Avs S from 55th to 56th Sts E, Special Improvement of Existing Street No 2928.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-373, reducing special assessments, levying reduced special assessments and adopting the assessment roll for the reconstruction of the N-S alley in the block between 30th and Nokomis Avs S from 55th to 56th Sts E, Special Improvement of Existing Street No 2928, was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-373

By Dziedzic

SPECIAL IMPROVEMENT OF EXISTING STREET NO 2928

Reducing special assessments, levying reduced special assessments and adopting the assessment roll for the reconstruction of the N-S alley in the block betw 30th and Nokomis Avs S from 55th to 56th Sts E.

Whereas, Resolution 96R-221 passed August 9, 1996 adopted special assessments for the above described alley project in the total amount of \$27,500; and

Whereas, the City Engineer has recommended reducing the special assessments, all as contained in Petn No 263281;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the total special assessments for the above described alley project be reduced by \$532.41 from \$27,500 to \$26,967.59.

Be It Further Resolved that the reduced special assessments in the amount of \$26,967.59 be levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in twenty (20) successive equal annual principal installments beginning on the 1998 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment roll as prepared by the City Engineer for the reduced special assessments be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution adopting the assessment roll for service charges to be imposed for collection in 1998 in the Downtown Special Service District for the New Nicollet Mall (from Washington Av S to 11th St S) Reconstruction Project.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-374, adopting the assessment roll for service charges to be imposed for collection in 1998 in the Downtown Special Service District for the New Nicollet Mall (from Washington Av S to 11th St S) Reconstruction Project, was passed November 21, 1997 by the

City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-374

By Dziedzic

Adopting the assessment roll for service charges to be imposed for collection in 1998 in the Downtown Special Service District for the New Nicollet Mall (from Washington Av S to 11th St S) Reconstruction Project.

Whereas, Resolution 89R-412 passed September 29, 1989 established the annual amount of service charges to be charged to properties in the Downtown Special Service District for the New Nicollet Mall (from Washington Av S to 11th St S) Reconstruction Project to be \$888,191; and

Whereas, refunding bonds were issued in July, 1993 for the New Nicollet Mall Reconstruction Project with the annual amount of service charges to the district being reduced for payable 1994, 1995 and 1996 to \$680,000, said reduced annual amount reflecting the allocated share of the interest savings generated by the said refunding bonds, all as recited in Resolution 93R-430 passed November 12, 1993; and

Whereas, the annual amount of the service charges for payable 1997 through payable 2009 inclusive is to be restored to \$888,191; and

Whereas, the service charges have to be certified to the Hennepin County Auditor on an annual basis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the assessment roll listing the service charges to be imposed for collection in 1998 and the affected properties as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk

T&PW - Your Committee recommends that the special assessments for the projects and charges listed below be levied upon the benefited properties for the listed number of successive equal annual principal installments and interest rates (except as otherwise noted hereinafter), that the assessment rolls as prepared by the City Engineer be adopted and that the City Clerk be directed to transmit certified copies of the assessment rolls to the Hennepin County Auditor:

1. Uptown (Hennepin-Lake Area) Streetscape Revitalization Project (including Supplemental), Special Improvement of Existing Street No 2897; 15% of cost category adjusted annually for land and building valuation and certified annually for 20 years; 5.3% interest; \$21,778.43 principal and interest for payable 1998;

2. Dinkytown Streetscape Revitalization Project, Special Improvement of Existing Street No 2924; \$542,312.51 principal; 15 installments; 5% interest;

3. Nicollet Av S Paving Project, Special Improvement of Existing Street No 2915; \$932,437.98 principal; 20 installments for assessments of more than \$75; one installment for assessments of \$75 or less; 5% interest;

4. Nicollet Av S Streetscape Revitalization Project, Special Improvement of Existing Street No 2931; \$635,000 principal; 15 installments for assessments of more than \$75; one installment for assessments of \$75 or less; 5% interest;

5. Healy Block Area Street Lighting Project, Special Improvement of Existing Street No 2933; \$279,500 principal; 20 installments for assessments of more than \$75; 1 installment for assessments of \$75 or less; 5% interest;

6. Skyway system between the Gateway Municipal Parking Ramp, the Jerry Haaf Memorial Parking Ramp and the Grain Exchange property as per Skyway/Tunnel Agreement dated June 9, 1993 between the City of Minneapolis and the Minneapolis Grain Exchange Inc (City Contract No 3436); \$188,000 principal; 16 installments; 6% interest;

7. Street Maintenance annual assessment for the taxes of 1997 against non-governmental real property exempt from ad valorem taxes; \$0.45 per front foot;

8. Street Lighting Operation and Maintenance annual assessment for the taxes of 1997 against non-governmental real property exempt from ad valorem taxes; assessment rates for Street Lighting Districts as listed in Petn No 263282.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration final approval for Street Lighting District No 1138 (said district having been established for the Dinkytown Streetscape Revitalization Project, Special Improvement of Existing Street No 2924), now recommends that Street Lighting District No 1138 be given final approval and that the City Clerk be directed to certify the assessment roll for street lighting maintenance and operation costs in said district to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration final approval for Street Lighting District No 1179 (said district having been established for the Nicollet Av S Streetscape Revitalization Project, Special Improvement of Existing Street No 2931), now recommends that Street Lighting District No 1179 be given final approval and that the City Clerk be directed to certify the assessment roll for street lighting maintenance and operation costs in said district to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration final approval for Street Lighting District No 1185 (said district having been established for the Healy Block Area Street Lighting Project, Special Improvement of Existing Street No 2933), now recommends that Street Lighting District No 1185 be given final approval and that the City Clerk be directed to certify the assessment roll for street lighting maintenance and

operation costs in said district for non-governmental real property exempt from ad valorem taxes to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration final approval for Street Lighting District No 1232 (said district having been established for the 4th Av S and Lake St E Sidewalk and Street Lighting Project), now recommends that Street Lighting District No 1232 be given final approval and that the City Clerk be directed to certify the assessment roll for street lighting maintenance and operation costs in said district to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution reducing special assessments, levying reduced special assessments and adopting the assessment roll for the installation of a sanitary sewer in 25th St E betw 1st and Stevens Avs S, Special Improvement of Existing Street No 2959.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-375, reducing special assessments, levying reduced special assessments and adopting the assessment roll for the installation of a sanitary sewer in 25th St E between 1st and Stevens Avs S, Special Improvement of Existing Street No 2959, was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-375

By Dziedzic

SPECIAL IMPROVEMENT OF EXISTING STREET NO 2959

Reducing special assessments, levying reduced special assessments and adopting the assessment roll for the installation of a sanitary sewer in 25th St E betw 1st and Stevens Avs S.

Whereas, Resolution 97R-171 passed June 27, 1997 adopted special assessments for the above described sanitary sewer project in the lump sum total amount of \$33,599 (\$14,431 for sanitary sewer and \$19,168 for sanitary sewer laterals); and

Whereas, the City Engineer has recommended reducing the special assessments for sanitary sewer based on actual construction, all as contained in Petn No 263282;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the special assessments for sanitary sewer be reduced by \$552 from \$14,431 to \$13,879.

Be It Further Resolved that the lump sum total special assessments for the above described sanitary sewer project be reduced by \$552 from \$33,599 to \$33,047.

Be It Further Resolved that the reduced special assessments in the amount of \$33,047 be levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in twenty (20) successive equal annual principal installments beginning on the 1998 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment roll as prepared by the City Engineer for the reduced special assessments be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City Officers be authorized to execute an agreement with Geographic Software Specialists, Inc (GSSI), in an amount not to exceed \$25,000, to provide support for engineering design and GIS software, for the Public Works Department and for the City's Geographic Information System (GIS), payable from PW-Engineering Design (410-600-6025).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your committee recommends that the proper City Officers be authorized to extend the agreement with MARTINEZ Corporation to create Digital Orthophotography for the Public Works Department and for the City's Geographic Information System (GIS). Said agreement shall allow for the completion of the remaining 20 square mile phase in Minneapolis, in an amount not to exceed \$50,000, payable from PW-Engineering Design (410-600-6025).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City Officers be authorized to execute a two-year pilot agreement with Hennepin County, in the total amount of \$2,015,905, whereby the City will provide routine maintenance services, as described in Petn No 263282, during calendar years 1998 and 1999 on the County's state-aid highway system in the City of Minneapolis.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City Officers be authorized to execute an Interagency Agreement with the Metropolitan

Council to authorize the acquisition of five low floor Hybrid Electric Buses to be used and operated by the Metropolitan Transit on the Nicollet Mall and in Downtown Minneapolis.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolutions designating the following street names located in the City of Minneapolis:

a. a street located in the 1st Ward honoring Council Member Walter Dziedzic, to be named Dziedzic Avenue;

b. a street located in the 4th Ward honoring Council Member Alice Rainville, to be named Rainville Avenue;

c. a street located in the 7th Ward honoring Council Member Pat Scott, to be named Scott Avenue;

d. a street located in the 12th Ward honoring Council Member Dennis Schulstad, to be named Schulstad Street.

RESOLUTION 97R-376

By Campbell

Designating a street located in the 1st Ward of the City of Minneapolis in honor of Council Member Walter Dziedzic as Dziedzic Avenue.

Resolved by The City Council of The City of Minneapolis:

That in honor of 1st Ward Council Member Walter Dziedzic, the street now known as 18th Avenue NE from Johnson Street NE to Stinson Blvd, in addition to the street ordinance designations and amendments naming said street, shall hereafter also be known as and designated as Dziedzic Avenue.

Adopted. Yeas, 10; Nays none.

Declining to vote - Dziedzic.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-377

By Campbell

Designating a street located in the 4th Ward of the City of Minneapolis in honor of Council Member Alice Rainville as Rainville Avenue.

Resolved by The City Council of The City of Minneapolis:

That in honor of 4th Ward Council Member Alice Rainville, the street now known as 47th Avenue N from Osseo Rd to Russell Avenue N, in addition to the street ordinance designations and amendments naming said street, shall hereafter also be known as and designated as Rainville Avenue.

Adopted. Yeas, 10; Nays none.

Declining to vote - Dziedzic.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-378

By Campbell

Designating a street located in the 7th Ward of the City of Minneapolis in honor of Council Member Pat Scott as Scott Avenue.

Resolved by The City Council of The City of Minneapolis:

That in honor of 7th Ward Council Member Pat Scott, the street now known as Summit Avenue from Penn Avenue S to Oliver Avenue S, in addition to the street ordinance designations and amendments naming said street, shall hereafter also be known as and designated as Scott Avenue.

Adopted. Yeas, 10; Nays none.

Declining to vote - Dziedzic.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-379

By Campbell

Designating a street located in the 12th Ward of the City of Minneapolis in honor of

Council Member Dennis Schulstad as Schulstad Street.

Resolved by The City Council of The City of Minneapolis:

That in honor of 12th Ward Council Member Dennis Schulstad, the street now known as 59 1/2 Street S from 26th Avenue S to 28th Avenue S, in addition to the street ordinance designations and amendments naming said street, shall hereafter also be known as and designated as Schulstad Street.

Adopted. Yeas, 10; Nays none.

Declining to vote - Dziedzic.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution approving special services, service charges and the list of service charges for 1998 in the Central Avenue Special Service District and directing the City Engineer to proceed with the work.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-380, approving special services, service charges and the list of service charges for 1998 in the Central Avenue Special Service District and directing the City Engineer to proceed with the work was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-380

By Dziedzic

Central Avenue Special Service District

Approving special services, service charges and the list of service charges for 1998 in the Central Avenue Special Service District and directing the City Engineer to proceed with the work.

Whereas, Resolution 97R-344 passed November 7, 1997 designated the services, locations and costs for 1998 in the Central Avenue Special Service District; and

Whereas, a public hearing was held on November 17, 1997 in accordance with Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28 and Chapter 446 of the Minneapolis Code of Ordinances to consider the proposed special services, to consider the proposed service charges and the proposed list of service charges on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed special services, the proposed cost estimate in the total amount of \$36,500 for 1998 and the proposed list of service charges for 1998 in the total amount of \$45,610 (amount remaining after adjusting the cost estimate of \$36,500 for previous years' unexpended balances and additional costs as recited in said Resolution 97R-344 passed November 7, 1997 and as provided for in Section 446.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the Office of the City Clerk be and hereby are approved.

Be It Further Resolved that the service charges be collected in one (1) installment on the 1998 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit a certified copy of said list of service charges to the Hennepin County Auditor.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution approving special services, service charges and the list of service charges for 1998 in the Hennepin-Lake Special Service District and directing the City Engineer to proceed with the work.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-381, approving special services, service charges and the list of service charges for 1998 in the Hennepin-Lake Special Service District and directing the City Engineer to proceed with the work, Hennepin-Lake Special Service District, was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-381

By Dziedzic

Hennepin-Lake Special Service District

Approving special services, service charges and the list of service charges for 1998 in the Hennepin-Lake Special Service District and directing the City Engineer to proceed with the work.

Whereas, Resolution 97R-345 passed November 7, 1997 designated the services, locations and costs for 1998 in the Hennepin-Lake Special Service District; and

Whereas, a public hearing was held on November 17, 1997 in accordance with Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28 and Chapter 438 of the Minneapolis Code of Ordinances to consider the proposed special services, to consider the proposed

service charges and the proposed list of service charges on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed special services, the proposed cost estimate in the total amount of \$67,500 for 1998 and the proposed list of service charges for 1998 in the total amount of \$72,523 (amount remaining after adjusting the cost estimate of \$67,500 for previous years' unexpended balances and additional costs as recited in said Resolution 97R-345 passed November 7, 1997 and as provided for in Section 438.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the Office of the City Clerk be and hereby are approved.

Be It Further Resolved that the service charges be collected in one (1) installment on the 1998 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit a certified copy of said list of service charges to the Hennepin County Auditor.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution approving special services, service charges and the list of service charges for 1998 in the Dinkytown Special Service District and directing the City Engineer to proceed with the work.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-382, approving special services, service charges and the list of service charges for 1998 in the Dinkytown Special Service

District and directing the City Engineer to proceed with the work, was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-382

By Dziedzic

Dinkytown Special Service District

Approving special services, service charges and the list of service charges for 1998 in the Dinkytown Special Service District and directing the City Engineer to proceed with the work.

Whereas, Resolution 97R-346 passed November 7, 1997 designated the services, locations and costs for 1998 in the Dinkytown Special Service District; and

Whereas, a public hearing was held on November 17, 1997 in accordance with Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28 and Chapter 444 of the Minneapolis Code of Ordinances to consider the proposed special services, to consider the proposed service charges and the proposed list of service charges on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed special services, the proposed cost estimate in the total amount of \$48,725 for 1998 and the proposed list of service charges for 1998 in the total amount of \$48,997 (amount remaining after adjusting the cost estimate of \$48,725 for previous years' unexpended balances and additional costs as recited in said Resolution 97R-346 passed November 7, 1997 and as provided for in Section 444.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the Office of the City Clerk be and hereby are approved.

Be It Further Resolved that the service charges be collected in one (1) installment on the 1998 real estate tax statements in the same manner as special assessments without interest charges and that the

City Clerk is hereby directed to transmit a certified copy of said list of service charges to the Hennepin County Auditor.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution approving special services for the remainder of 1997 and all of 1998, service charges and the list of service charges for 1998 in the Stadium Village Special Service District and directing the City Engineer to proceed with the work.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-383, approving special services for the remainder of 1997 and all of 1998, service charges and the list of service charges for 1998 in the Stadium Village Special Service District and directing the City Engineer to proceed with the work, was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-383

By Dziedzic

Stadium Village Special Service District

Approving special services for the remainder of 1997 and all of 1998, service charges and the list of service charges for 1998

in the Stadium Village Special Service District and directing the City Engineer to proceed with the work.

Whereas, Resolution 97R-347 passed November 7, 1997 designated the services, locations and costs for the remainder of 1997 and all of 1998 in the Stadium Village Special Service District; and

Whereas, a public hearing was held on November 17, 1997 in accordance with Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28, Laws of Minnesota, 1996, Chapter 471, Article 8, Section 44 and Chapter 450 of the Minneapolis Code of Ordinances to consider the proposed special services, to consider the proposed service charges and the proposed list of service charges on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed special services for the remainder of 1997 and all of 1998, the proposed cost estimate in the total amount of \$52,500 and the proposed list of service charges for 1998 in the total amount of \$52,500 (any adjustments based on actual expenditures to be made in accordance with the provisions of Section 450.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the Office of the City Clerk be and hereby are approved.

Be It Further Resolved that the service charges be collected in one (1) installment on the 1998 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit a certified copy of said list of service charges to the Hennepin County Auditor.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution reducing

special assessments, levying reduced special assessments and adopting the assessment rolls for the 1997 Residential Paving Program, Special Improvement of Existing Street Nos 2820, 2858 and 2874.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-384, relating to the 1997 Residential Paving Program, Special Improvement of Existing Street Nos 2820 (Nicollet Island), 2858 (Whittier NE) and 2874 (Elliot Park) was passed November 21, 1997 by the City Council and approved November 26, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-384
By Dziedzic

1997 RESIDENTIAL PAVING PROGRAM

SPECIAL IMPROVEMENT OF EXISTING STREET NOS 2820 (NICOLLET ISLAND), 2858 (WHITTIER NE) AND 2874 (ELLIOT PARK)

Reducing special assessments, levying reduced special assessments and adopting the assessment rolls for the 1997 Residential Paving Program.

Whereas, Resolution 97R-086 passed April 11, 1997 adopted special assessments for the 1997 Residential Paving Program in the total amount of \$602,530.25; and

Whereas, the 1997 Uniform Assessment Rate Procedure as per Resolution 97R-048 passed March 7, 1997 provides for credit if the existing curb and gutter is left in place; and

Whereas, 12th Av S from 8th to 9th Sts S in the Elliot Park Residential Paving Area was not improved;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the total special assessments for the 1997 Residential Paving Program be reduced by \$15,236.22 from \$602,530.25 to \$587,294.03.

Be It Further Resolved that the reduced special assessments in the amount of \$587,294.03 be levied upon the benefited properties.

Be It Further Resolved that the special assessments of more than \$75 be collected in twenty (20) successive equal annual principal installments beginning on the 1998 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the special assessments of \$75 or less be collected in one (1) installment on the 1998 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer for the reduced special assessments be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 263284):

a) OP #4732, low bid submitted by Boiler Services, Inc., in the amount of \$51,249, for the following Public Works Water Department burners:

Removal of existing fuel piping, burners and related items, and to furnish, deliver and install one gas and propane burner for the Columbia Heights Filter Plant;

One oil burner for Pump Station No 7; and

One oil burner for Pump Station No 4;

b) OP #4731, low bid meeting specifications of RMR Services, Inc., in the amount of \$513,160, for furnishing and delivering radio frequency based automatic meter reading equipment to the Public Works Water Department as shown in Petn No 263284;

c) OP #4744, low bid of Tri-State Drilling, Inc., in the amount of \$119,403, for furnishing and delivering all materials, equipment, labor and incidentals necessary to accomplish construction of two lined shaft holes for Public Works Sewer Construction at 8th Street South and Nicollet Avenue (\$63,068), 11th Avenue South and Washington Avenue (\$56,335).

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute Agreement No PW 38-20-97 with Hennepin County for the installation of overhead signal indications on Lowry Av N (CSAH 153) at Penn Av N (CSAH 2), for an estimated project cost of \$43,458.24. Hennepin County's share of the project cost (including construction and engineering costs) totaling \$41,988.64 shall be reimbursed the City from County State Aid funds. The City of Minneapolis shall be responsible for the remaining portion of the project costs.

Your Committee further recommends passage of the accompanying Resolution appropriating \$12,989 to the PW - Transportation - Capital Agency to supplement 1997 capital funds totaling \$29,000 that were designated for said project in the Capital Improvement Program for signal, signing and lighting improvements.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-385
By Dziedzic and Campbell

**Amending The 1997 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation - Capital Agency in Permanent Improvement Project Fund (410-943-9440) by \$12,989 for constructing an overhead signal system on Lowry Av N at Penn Av N, the cost of which will be fully reimbursed by County State Aid funds.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to increase the following District Sidewalk Contracts for the 1997 construction season, needed as a result of a change in accounting practices by Public Works and work that was paid by special assessments to the property owners (Petn No 263284):

a. an increase of \$354,000 for District Sidewalk Contractor Gunderson Brothers (C97-11452) for a new total contract of \$1,116,112.50;

b. an increase of \$110,000 for District Sidewalk Contractor Standard Sidewalk (C97-11465) for a new total contract of \$491,385.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having received a report analyzing future options for the Minneapolis Concrete Plant (Petn No 263284), now recommends that the following recommendations of the Public Works and Finance Department Staff be implemented:

a. Suspend operations at the concrete plant for a maximum of two years;

b. Dispose of the current fleet of eight concrete mixer trucks;

c. Purchase concrete through competitive bids on the private market.

d. During this two-year period, Public Works staff be directed to review its future concrete needs and report back no later than the fall of 1999 with either a recommendation to resume plant operations or permanently close the facility.

e. Upon adoption of this action, that staff be directed to modify the Public Works 1998 budget request.

Your Committee further recommends that in implementing the above recommendations, that staff be directed to notify and reassign employees where vacancies exist and/or use the Job Bank to place employees impacted by this action.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas - McDonald, Minn, Mead, Scott, Rainville, Dziedzic, Thurber, Campbell, Biernat, Cherryhomes.

Nays - Niland.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the development of a new Municipal Parking Facility on the existing Greyhound/Jefferson Lines depot site, now recommends the following:

a. Authorize the proper City Officers to acquire the Malkerson property at \$48 per square foot (estimated at \$3,700,000 including \$200,000 for rights to a billboard sign on the site);

b. Authorize the proper City Officers to execute a 20-year lease, with two ten-year options, with Greyhound/Jefferson Lines at \$6 per square foot, plus Gate Department Fees and Bus Parking Fees and capital loan repayment, estimated at an annual rent of \$207,190 plus \$13,687 in parking fees;

c. Support the effort to gain a State and/or Federal grant, in the amount of \$2,000,000; if not successful, that up to \$2,000,000 in bonds be authorized to be repaid by Greyhound at an interest rate of 2%;

d. Authorize the proper City Officers to amend Agreement No 66310 with the Minnesota Department of Transportation to allow for the repayment of improvements to the Third Avenue Distributor TAD 7 Garage by the addition of a double helix. Said improvement costs shall be repaid to the City over a five to seven year period from TAD 7 Garage revenues;

Your Committee further recommends that approval be granted pending receipt of an opinion from the City's financial advisor that the Parking Fund can accommodate the project, and that a revenue sharing agreement will be considered so

that the Parking Fund does not have to bear the entire cost of the Skyway portion of the Project.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee, having under consideration settlement agreements with various property owners within the footprint of the failed LSGI development proposal, now recommends that the proper City officers be authorized to settle the following cases in the amounts indicated and be authorized to execute the appropriate settlement agreements and any documents necessary to finalize the dismissal of the cases with the courts:

Donald Rush, et al. vs. the MCDA, et al., Hennepin County District Court File No.: 94-17990 \$80,000, payable to Donald and Nancy Rush and the Nancy Rush Trust and their attorneys, Leonard, OBrien, Wilfred, Spencer & Gale;

Rockler, et al. vs. the MCDA, et al., Hennepin County District Court File No.: 94-17989 \$80,000, payable to Sheldon Rockler and Sarah Rockler and their attorneys, Leonard, OBrien, Wilfred, Spencer & Gale;

Physicians and Surgeons Capital Corp. vs. the MCDA, et al., Hennepin County District Court File No.: 94-17988 \$40,000, payable to Physicians & Surgeons Capital Corp. and its attorneys, Leonard, OBrien, Wilfred, Spencer & Gale;

Paul A. Schmidt Music Co., et al. vs. the City of Minneapolis, et al., Hennepin County District Court File No.: 94-017969 \$80,000, payable to Paul A. Schmidt Music Co. and Schmidt Music Center, Inc. and their attorneys, Mahoney, Hagberg & Rice;

Binns, et al vs. the City of Minneapolis, et al., Hennepin County District Court File No.: 94-017967 \$75,000, payable to Katherine D. Binns, Jean D. Waters, Marilyn E. Kingman, Wentthrop A. Eastman, and Welles B. Eastman and their attorneys, Mahoney, Hagberg & Rice; and

The 614 Co. vs. the Minneapolis Community Development Agency and the 614 Co. vs. the Minneapolis Community Development Agency, et al., Hennepin County

District Court File Nos.: 87-21740 and 94-17939 \$225,000, payable to the 614 Co. and Y-Q Associations Limited Partnership and their attorneys, Dorsey & Whitney.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the lawsuit filed against the City by the following individual be settled as follows:

690-150 Lon A. Wright and Albert Goins, his attorney, \$12,500.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the report passed by the Council on October 10, 1997, relating to settlement terms in the matter of **Hagan et al. vs. City**, a lawsuit brought by twenty-six members of the Minneapolis Fire Department alleging violations of the Fair Labor Standards Act (FLSA), be amended by increasing the settlement costs by a total of \$1,501.39, for final settlement authorization as follows:

a) That the District Fire Chiefs shall be classified as non-exempt for FLSA purposes;

b) Authorized back pay totaling \$40,762.95;

c) Liquidated damages of \$13,587.65; and

d) Attorney fees of \$28,000.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration the anticipated receipt of McKnight Foundation welfare-to-work grant funds and the need to establish master contracts with organizations that will be providing services within the four Minneapolis program areas, now recommends that the proper City officers be authorized to enter into Master Contracts with the following organizations for the period of January 1, 1998 through December 31, 2003:

Minnesota American Indian Chamber of Commerce;

Freeport West;

Exodus Community Development Corporation;

Early Childhood Resource Center;

Phillips/Powderhorn Cultural Wellness Center

Urban Hope Ministries;

Episcopal Community Services; and

University of Minnesota Extension Services - Hennepin County.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Grants & Special Projects appropriation by a total of \$173,882 to provide for correct allocation of funds for the following previously approved activities:

- a) Appropriating an administrative set-aside of \$15,000 for the Federal HOME Program to the Grants Office because of that offices involvement in administering the grant program;
- b) Appropriating \$12,469 remaining from the terminated Minneapolis-Hennepin County Office of International Trade, with said funds to be used for future international initiatives through the Grants Office;
- c) Appropriating \$2,663 to reflect the reimbursement of expenses incurred by the Grants Office related to the 1997 Grand Prix of Minnesota;
- d) Transferring federal and state Weed & Seed Program grant funds of \$143,750 from the Non-Departmental Agency to the Grants & Special Projects Agency to be used for salary and benefits for the three Weed & Seed coordinators.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-386

By Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the City Coordinator - Grants & Special Projects appropriation (840-8405) by \$173,882, as follows:

Fund	Amount	Purpose
CDBG (040)	\$ 15,000	Federal HOME Program Grant Set Aside
Grants-Other (060)	\$ 12,469	International Initiatives
General (010)	\$ 2,750	Grand Prix Reimbursement
Grants-Federal (030)	\$ 23,750	Federal Weed & Seed
Grants-Other (060)	\$120,000	State Weed & Seed.

Further, by decreasing the appropriation for the Non-Departmental Agency in the Grants-Federal Fund (030-123-1230) by \$23,750 and the Non-Departmental Agency in the Grants-Other Fund (060-123-1230) by \$120,000.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the following actions relating to the Minneapolis Convention Center Completion Project:

a) Approval of the process for selecting an architectural firm to design the proposed project (as set forth in Petn No 263290), including authorization to issue a Request for Proposals (RFP). The RFP and results will be reviewed by the Staff Steering Committee, the Permanent Review Committee and the Minneapolis Convention Center Implementation Committee, with a final recommendation for design services to the City Council anticipated in January of 1998;

b) Authorization to execute a contract with Setter Leach Lindstrom in an amount not to exceed \$98,000 for their services in updating the current Convention Center building plan as required prior to

commencing design of the completion project. The City's contracting policy which would require an RFP is waived based on the firm's experience and involvement with the current facility.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee

recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for design of the proposed convention center parking facility.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee

recommends that the agreement between the City and the Greater Minneapolis Convention and Visitors Association (GMCVA) (Agreement #10029) be amended to allow for the timely processing of the GMCVA's annual appropriation immediately following the City Council Meeting at which the 1998 General Appropriation Resolution is approved (as set forth in Petn No 263291).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration the City's current contract with Kelber Catering, Inc. for food services and concessions at the Minneapolis Convention Center (MCC) and a recommendation to amend the contract in recognition of the company's plan to invest in updating their equipment at the MCC, now recommends that the proper City officers be authorized to execute an amendment to accomplish the following:

a) Exercise the City's option to extend the contract to June 30, 2006;

b) Accept Kelber Catering's offer to invest a minimum of \$1.2 million in upgrades, repairs and replacements to the food service facilities at the MCC;

c) Accept Kelber Catering's offer to initiate an expanded minority outreach program; and

d) Agree to renegotiate the contract at such time as the Convention Center Completion Project has begun.

Minn moved to amend the report by adding a paragraph "e" to read as follows:

e) That said contract renewal shall not include an additional automatic renewal feature at the terminus of the contract term. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends

that the proper City officers be authorized to establish the following price agreements for 1998:

a) U. S. Postal Service for mailing privileges, in an amount not to exceed \$500,000, payable from the City Clerk Agency (640-260-2620);

b) Anchor Paper and the successor Hennepin County Contractor for convenience and high speed copier paper, in an amount not to exceed \$200,000, payable from the City Clerk Agency (640-260-2630); and

c) Special School District #1 Print Shop for special and overload copying services, in an amount not to exceed \$60,000, payable from the City Clerk Agency (640-260-2630).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration salary rates for City Council Members and the Mayor for the period of 1998 through 2001, now sends forward without recommendation the accompanying amendment to the **Salary Ordinance** which provides for no salary increase in 1998 and, for the years 1999

through 2001, a percentage increase based on the Consumer Price Index-Urban or a maximum of 2%.

Campbell moved that the report be referred back to the Ways & Means/Budget Committee. Seconded.

Adopted upon a voice vote.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances relating to Zoning Code: In General, adding clarification and a new effective date to the home occupation ordinance, now recommends that said ordinance be given its second reading for amendment and passage.

Scott moved to amend Section 522.205 (4) the above-entitled ordinance by deleting the date January 1, 1998 and inserting in lieu thereof, April 1, 1998. Seconded.

Adopted upon a voice vote.

Scott moved to amend Section 522.205 (2) (j.) of the above-entitled ordinance by deleting the language by appointment or in the following paragraph: "j. No retail sale and delivery of products or merchandise to the customer or client shall occur on the premises except by appointment or where accessory to any services provided (such as hair care products sold accessory to hair cutting, or computer disks accessory to accounting services)." Seconded.

Lost. Yeas, 5; Nays, 6 as follows:

Yeas - McDonald, Scott, Rainville, Dziedzic, Thurber.

Nays - Niland, Minn, Mead, Campbell, Biernat, Cherryhomes.

Absent - Schulstad, Herron.

Scott moved that the ordinance be postponed. Seconded.

Scott withdrew her motion.

Cherryhomes moved to reconsider Scotts motion to amend Section 522.205 (2) (j.).

Adopted upon a voice vote.

Scott's motion was adopted upon a voice vote.

Mead moved to amend Section 522.205 (2) (l.) of the above-entitled ordinance by deleting the language 8:00 a.m. and 8:00 p.m. and inserting in lieu thereof 7:00 a.m. and 9:00 p.m. Seconded.

Lost. Yeas, 4; Nays, 7 as follows:

Yeas - Niland, Mead, Thurber, Campbell.

Nays - McDonald, Minn, Scott, Rainville, Dziedzic, Beirnat, Cherryhomes.

Absent - Schulstad, Herron.

ORDINANCE 97-Or-091

By Scott

Intro & 1st Reading: 8/22/97

Ref to: Z&P

2nd Reading: 11/21/97

Amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances relating to Zoning Code: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 522.205 of the above-entitled ordinance be amended to read as follows:

522.205. Home occupations. Home occupations shall be allowed accessory to a dwelling, subject to the following:

(1) Purpose. Home occupation regulations are established to ensure that home occupations will not adversely affect the character and livability of the surrounding neighborhood and that a home occupation remains accessory and subordinate to the principal residential use of the dwelling. The regulations recognize that many types of home occupations can be conducted with little or no effect on the surrounding neighborhood.

(2) Home occupation standards. Home occupations shall be subject to the following standards, except that licensed family day care and licensed group family day care shall be exempt from the provisions of subsections (2) b., (2) f., (2) k., (2) l., (2) m. and (2) o:

a. The home occupation shall be an activity which is customarily associated with the use of a dwelling.

b. Only the residents of the dwelling unit, and not more than one (1) nonresident employee, shall be employed by or engaged in the conduct of the home occupation on the premises. For the purpose of this subsection, nonresident employee shall include an employee, business partner, independent contractor or other person affiliated with the home occupation who is not a resident of the dwelling unit, but who visits the site as part of the home occupation. Not more than one (1) nonresident employee shall be permitted per dwelling unit or two-family dwelling, regardless of the number of home occupations.

c. Exterior alterations or modifications that change the residential character or appearance of the dwelling, any accessory buildings or the zoning lot shall be prohibited.

d. Interior alterations or modifications that eliminate the kitchen, living room, all of the

bathrooms, or all of the bedrooms of the dwelling shall be prohibited.

e. The home occupation shall be conducted only within an enclosed area of the dwelling. However, beginning in the R4 zoning district, in multiple-family dwellings of five (5) or more units the home occupation may be allowed within a specific area of the principal building designated for such home occupation by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards, the planning commission shall consider, but not be limited to, the following factors:

1. Nature of the home occupation and its impacts of noise, light, odor, vibration and traffic.

2. Conformance with applicable zoning requirements, including but not limited to, yards, gross floor area, and specific development standards.

3. History of complaints related to the property.

f. Outdoor storage or display of materials, goods, supplies, or equipment related to the conduct of a home occupation shall be prohibited.

g. The required off-street parking area provided for the principal use shall not be reduced or made unusable by the home occupation.

h. Signage shall be restricted to one non-illuminated, flat wall, identification sign not to exceed one (1) square foot in area. On a corner zoning lot, two (2) such signs, one facing each street, shall be allowed.

i. No equipment, machinery or materials other than of a type normally found in or compatible with a dwelling shall be allowed.

j. No retail sale and delivery of products or merchandise to the customer or client shall occur on the premises except where accessory to any services provided (such as hair care products sold accessory to hair cutting, or computer disks accessory to accounting services).

k. No home occupation shall be visible from any public right of way, except for allowed signage.

l. The hours open to the public shall be limited to between 8:00 a.m. and 8:00 p.m.

m. The home occupation shall not generate excessive customer or client traffic that is detrimental to the residential character of surrounding properties or the neighborhood. For purposes of this provision, more than five (5) customers or clients per day may be determined to be an excessive and detrimental level of traffic.

This number shall apply per dwelling unit, regardless of the number of home occupations, except that in the case of two (2) family dwellings, the number shall apply to the two (2) family dwelling. The factors to be used for such a determination shall include but not be limited to:

1. The characteristics of the neighborhood, including land uses, lot sizes and lot widths.

2. Street type, width and traffic volumes.

3. The availability and location of off-street parking and the extent to which the home occupation contributes to on-street parking congestion.

n. Shipment and delivery of products, merchandise or supplies shall be limited to between 9:00 a.m. and 6:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.

o. No sound or noise created by the operation of the home occupation shall be audible beyond the boundaries of the zoning lot.

p. Hazardous materials in excess of consumer commodities which are packaged for consumption by individuals for personal care or household use shall be prohibited.

(3) Prohibited home occupations. Recognizing that there are some uses which have serious objectionable operational characteristics and thereby adversely affect the surrounding neighborhood, the following shall be prohibited as home occupations:

a. Motor vehicle repair, service or painting.

b. Barber shop or beauty salon which is designed to serve more than one (1) client at a time.

c. The sale, lease, trade, or other transfer of firearms or ammunition by a firearms dealer.

d. Regulated uses, as defined in Chapter 540, Business Districts.

e. Headquarters or dispatch centers where persons come to the site and are dispatched to other locations.

(4) Compliance deadline. Home occupations not in compliance with subsections (2) l., (2) m. or (2) n. above, shall be permitted as a lawful, nonconforming use in accordance with the provisions of Chapter 531, Nonconforming Uses and Structures, until April 1, 1998, when such nonconforming status shall become unlawful.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, to whom was
referred an ordinance amending Title 20, Chapter
540 of the Minneapolis Code of Ordinances r
elating to Zoning Code: Business Districts, to
extend the storefront ordinance to include the area
bounded by Lake St north to 28th St S between
Chicago Av S and 10th Av S and Lake St north to
29th St S between 10th Av S and 11th Av S (Sears
site), now recommends that said ordinance be
given its second reading for amendment and
passage.

ORDINANCE 97-Or-092

By Herron and Scott

Intro & 1st Reading: 10/10/97

Ref to: Z&P

2nd Reading: 11/21/97

**Amending Title 20, Chapter 540 of the
Minneapolis Code of Ordinances relating to
Zoning Code: Business Districts.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That Section 540.1410 (10) (b) of
the above-entitled ordinance be amended to read as
follows:

540.1410. Conditional uses. Any use allowed
as a conditional use in the B3 District shall be
allowed in the B3S District (unless permitted in
section 540.1400), subject to the provisions of
Chapter 525, and in addition the following:

(10) Unless otherwise permitted, all the
permitted uses in the B3C and M1 Districts,
excluding automobile combination convenience
facilities, convenience food restaurants, missions,
poultry, live-slaughtering if for retail sale on the
premises, radar installation towers, highway
maintenance shops and yards, bakeries with no on
premises retail component and regulated uses in
section 540.410, subject to the following locations:

(b) Lake St south of 29th St and north of 31st
St from Dupont Av to Blaisdell Av, from First Av
to Columbus Av, from 10th Av to 15th Av, from
10th Av on the north side of Lake St to 15th Av,
from 16th Av on the north side to Cedar Av, from
16th Av on the south side to 28th Av S, Lake St
north to 28th St S between Chicago Av S and 10th

Av S, and Lake St north to 29th St S between 10th
Av S and 11th Av S.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends approval
of the following reappointments to the Real Estate
Advisory Board for two year terms, which will
expire October 31, 1999:

- a) Kim Douglas, 1337 Morgan Av N,
Minneapolis, MN 55411 (Ward 5);
- b) Sandy Green, 2508 Harriet Av S,
Minneapolis, MN 55405 (Ward 6);
- c) Jean Leake, 2401 Upton Av N, Minneapolis,
MN 55411 (Ward 5);
- d) Pauline Rohrman, 4432 Harriet Av S,
Minneapolis, MN 55409 (Ward 11);
- e) Jan Russell, 3804 43rd Av S, Minneapolis,
MN 55406 (Ward 12).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting
the following applications for special permits,
notwithstanding the Zoning Code:

a) Urban Homeworks, Inc: Appl to waive the
full basement requirement at 3129 Columbus Av S
subject to all other code compliance orders being
fulfilled, in addition to the engineers
recommendations (#1997-190);

b) Superior Home Services: Appl to waive the
full basement requirement at 3245 Park Av subject
to all other code compliance orders being fulfilled,
in addition to repair of the fire damage (#1997-
165).

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Campbell, Chair of the Ways & Means/Budget
Committee, moved that the regular payrolls for all

City employees under City Council jurisdiction for the month of December 1997 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to refer the subject matter of amendments to Title 19 of the Minneapolis Code of Ordinances relating to **Water, Sewers and Sewage Disposal**, to the Transportation & Public Works and Ways & Means/Budget Committees for a public hearing to be held during the Council meeting relating to the Truth in Taxation public hearing to be held December 10, 1997, at 5:05 p.m. in Room 317 City Hall. Seconded.

Adopted upon a voice vote.

RESOLUTIONS

RESOLUTION 97R-387

By Niland, Cherryhomes, Dziedzic, Campbell, Biernat, Rainville, Scott, Herron, Thurber, McDonald, Mead, Schulstad and Minn

Recognizing the 50th Anniversary of the Minneapolis Community Development Agency and the Minneapolis Public Housing Authority.

Whereas, the Minneapolis Housing and Redevelopment Authority (MHRA) was established on November 5, 1947, for the purpose of eliminating urban blight and developing low-cost housing for Minneapolis residents; and

Whereas, the MHRA developed its first locally financed renewal project in 1950; built, owned and managed its first public housing units in 1952; developed its first federally assisted project in 1955; and over the next three decades, built and managed nearly 8,000 units of public housing and implemented hundreds of redevelopment projects providing affordable housing, commercial and industrial development sites; and

Whereas, in 1981 the MHRA merged with the Minneapolis Industrial Development Commission and the development division of the City Coordinator's office to create the Minneapolis Community Development Agency (MCDA), a new streamlined agency to coordinate city development resources; and

Whereas, in 1991 the Minneapolis Public Housing Authority (MPHA) separated from the MCDA, creating two independent agencies; and

Whereas, the MCDA and the MPHA have made significant and lasting contributions to the quality of life in Minneapolis in the areas of housing, economic development and the arts, and continue to forge new traditions in community building; and

Whereas, the MCDA and the MPHA have received numerous awards and recognitions of their outstanding achievements in the areas of housing and economic development, including a 1971 award from the Department of Housing and Urban Development naming the MHRA the most outstanding urban renewal agency in the nation, the first such award ever presented;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council congratulates the Minneapolis Community Development Agency and the Minneapolis Public Housing Authority on 50 years of exceptional service to the citizens and businesses of Minneapolis.

Be It Further Resolved that the City Council extends its good wishes to the MCDA and the MPHA for continued success in their efforts to make Minneapolis an outstanding city in which to live, work and play.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes,
President of Council.

Approved November 26, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-388

By Herron, Thurber, Cherryhomes, Dziedzic, Campbell, Biernat, Rainville, Niland, Scott, McDonald, Mead, Schulstad and Minn

Recommending a collaboration with Youth Trust for employer opportunities to improve the academic and career development of Minneapolis Public School students.

Whereas, WHAM! "Work Hard - Achieve More" is a four-year demonstration project designed to improve the academic and career development of Minneapolis Public School students through partnerships with employers and other community members; and

Whereas, individual student internships will provide students with short-term, paid experiences to learn about and develop skills in the workplace;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis form a cooperation with Youth Trust to hire Minneapolis Public School students as interns in each department within the City.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Passed November 21, 1997. J. Cherryhomes, President of Council.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Licensed Establishments & Trades: Passage of Ordinance amending Title 4 of the Code of Ordinances by adding Chapter 78 entitled **Enacting Moratoria on Licensed Establishments and Trades**, amending Titles 4, 10, 11, 13 & 14 to allow the City to enact moratoria, etc; Auth summary publication.

Biernat moved to continue postponement. Seconded.

Adopted upon a voice vote.

PS&RS - Your Committee, having under consideration application from the following persons for one City Council appointment to serve on the Civilian Police Review Authority (CPRA) for a 4-year term to expire June 30, 2001, and having held a public hearing thereon, now recommends that the following application(s) be **sent forward without recommendation**:

Mark William Matthews, PH.D., 117 W 15th St, Ward 7.

Joseph Barisonzi, 3409 Blaisdell Av S, Ward 10.

Campbell moved to approve the appointment of Mark William Matthews. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas; 8; Nays none.

Declining to Vote - Niland, Mead, Cherryhomes.

Absent - Schulstad, Herron.

Passed November 21, 1997.

Approved November 26, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

NEW BUSINESS

Campbell offered an Ordinance amending Title 20, Chapter 538 of the Minneapolis Code of Ordinances

relating to **Zoning Code: Residence Districts**, which was given its first reading and referred to the Zoning & Planning Committee (Text amendment re offices located in the R6A zoning district).

McDonald offered an Ordinance amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to **Zoning Code: Business Districts**, which was given its first reading and referred to the Zoning & Planning Committee (Text amending re theaters).

McDonald offered an Ordinance amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to **Zoning Code: Hennepin-Lake District**, which was given its first reading and referred to the Zoning & Planning Committee (Text amendment re theaters).

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Herron.

Adjourned.

MERRY KEEFE,
City Clerk.
97-11147